

# ENVIRONMENTAL EVALUATION OF FACILITIES DEVELOPMENT ACTIONS

Wisconsin Department of Transportation (WisDOT)  
 DT2094 6/2015

## BASIC SHEET 1 - PROJECT SUMMARY

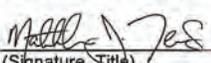
Project ID 9200-10-00 Construction ID 9200-10-71	Project Termini County VV Interchange (WIS 32 – County FF)	Funding Sources (check all that apply) <input checked="" type="checkbox"/> Federal <input checked="" type="checkbox"/> State <input checked="" type="checkbox"/> Local
Route Designation (if applicable) WIS 29 National Highway System (NHS) Route <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Nearest Community Village of Howard Village of Hobart	Estimated Project Cost and Funding Source (state and/or federal). Year of Expenditure (YOE) dollars include delivery cost. \$27,430,000 in 2021 dollars
Project Title WIS 29, Shawano – Green Bay County VV Interchange	Section / Township / Range Sec. 2,3,4,11 and 12 / T 24 N / R 19 E Sec. 33 and 34 / T 25 N / R 19 E	Real Estate Acquisition Portion of Estimated Cost (YOE) \$3,500,000 in 2021 dollars Utility Relocation Portion of Estimated Cost (YOE) \$1,000,000 in 2021 dollars

County Brown	For an ER, indicate the date funding was authorized to begin preliminary engineering. For an EA, indicate the date the Process Initiation Letter was accepted by FHWA. 11/8/2010	<b>Right-of-Way to be Acquired</b>	<b>Acres</b>
Bridge Number(s) (if applicable)		Fee	57.1
		TLE	5.68
		PLE	0.0
		<b>Hardship Right of Way Acquired in 2015 under Wis. Stat. 84.295</b>	
			<b>Acres</b>
		Fee	2.91
		TLE	0.0

Functional Classification of Existing Route (FDM 3-5-2)	Urban	Rural
Freeway/Expressway	<input type="checkbox"/>	<input type="checkbox"/>
Principal Arterial	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Minor Arterial	<input type="checkbox"/>	<input type="checkbox"/>
Major Collector	<input type="checkbox"/>	<input type="checkbox"/>
Minor Collector	<input type="checkbox"/>	<input type="checkbox"/>
Collector	<input type="checkbox"/>	<input type="checkbox"/>
Local	<input type="checkbox"/>	<input type="checkbox"/>
No Functional Class	<input type="checkbox"/>	<input type="checkbox"/>

WisDOT Project Classification (FDM 3-5-2)	
Resurfacing	<input type="checkbox"/>
Pavement Replacement	<input type="checkbox"/>
Reconditioning	<input type="checkbox"/>
Expansion	<input checked="" type="checkbox"/>
Bridge Rehabilitation	<input type="checkbox"/>
Bridge Replacement	<input type="checkbox"/>
"Majors" Project (there are both state and federal majors)	<input type="checkbox"/>
SHRM	<input type="checkbox"/>
Reconstruction	<input checked="" type="checkbox"/>
Preventive Maintenance	<input type="checkbox"/>
Safety	<input type="checkbox"/>
Other--Describe:	<input type="checkbox"/>

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

Troy Robillard, Project Manager, Ayres Associates	05/16/2019		5-16-2019
(Print – Preparer Name, Title, Company/Organization)	(Date – m/d/yy)	(Signature – Director, Bureau of Technical Services)	(Date – m/d/yy)
 - Region Project Manager	05/16/2019		5/16/19
(Signature, Title)	(Date – m/d/yy)	(Signature, Title)	(Date – m/d/yy)
<input checked="" type="checkbox"/> Region <input type="checkbox"/> Aeronautics <input type="checkbox"/> Rails & Harbors		X FHWA <input type="checkbox"/> FAA <input type="checkbox"/> FTA <input type="checkbox"/> FRA	

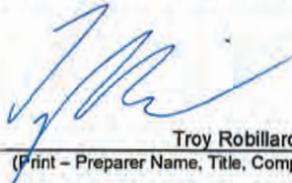
**ENVIRONMENTAL EVALUATION OF FACILITIES DEVELOPMENT ACTIONS (continued)**

DT2094

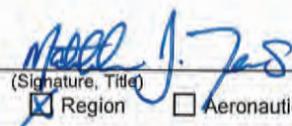
FHWA Final Type 2 Categorical Exclusion (CE)/WisDOT Final Environmental Report (ER). It has been determined **no significant impacts will occur** and a Public Hearing is not required.

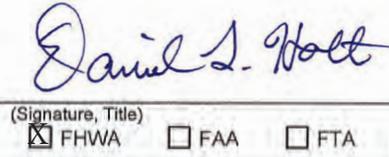
After reviewing and addressing substantive public comments, updating the Draft CE/ER or Draft EA and coordinating with other agencies, it is determined this action:

- Will NOT significantly affect** the quality of the human environment. This document is a Final CE/Final ER.
- Will NOT significantly affect** the quality of the human environment. This document is a Final EA/Finding of No Significant Impact.
- Has potential to significantly affect** the quality of the human environment. Draft Environmental Impact Statement (EIS) required.

  
 Troy Robillard, Project Manager, Ayres Associates 8/8/19  
 (Print - Preparer Name, Title, Company/Organization) (Date - m/d/yy)

 for 8-8-2019  
 (Signature - Director, Bureau of Technical Services) (Date - m/d/yy)

 Wis DOT Project Manager 8/8/2019  
 (Signature, Title) (Date - m/d/yy)

 8/9/2019  
 (Signature, Title) (Date - m/d/yy)

- Region
- Aeronautics
- Rails & Harbors

- FHWA
- FAA
- FTA
- FRA

# ENVIRONMENTAL DOCUMENT AVAILABILITY and HEARING SUMMARY

08-08-2019

Wisconsin Department of Transportation

Project ID: 9200-10-00

This Environmental Document Availability and Hearing Summary is completed if the project required publication of a Notice of Public Hearing and Notice of Availability of an Environmental Document or a Notice of Opportunity to Request a Public Hearing and Notice of Availability of an Environmental Document. When completed, attach this summary to the environmental document following the signatory page with the updated Environmental Document Template including all changes highlighted.

1. **Type(s) and Date(s) of Public Notice(s):** Newspaper Ad – 5/17/2019
2. **Published in (name of newspaper):** Green Bay Press Gazette
3. **Dates environmental document was available to the public and agencies for review and comment:**  
 From: 5/17/2019  
 To: 6/17/2019
4. **Public Hearing:**
  - A Notice of Opportunity to Request a Public Hearing and Notice of Availability of an Environmental Document was published.
  - No requests for a public hearing were received.
  - Hearing request(s) received, then later rescinded in writing, documentation attached as:
  - Hearing was held on: **June 5, 2019**
5. **Summarize comments from the Public Hearing and environmental document availability period or additional public involvement following the approval of the environmental document. Characterize public support or opposition to the project. Include responses to all substantive comments. (Note: Alternatives proposed by the public and subsequently rejected should be identified and the reasons for rejecting them):**

Comment Number	Public Hearing and Environmental Document Comments and Responses	Number of Occurrences
1	<b><i>Why is the County U overpass not being constructed?</i></b> <i>Funding for the County U overpass was not part of the application for the BUILD Grant and therefore is not part of the current project proposal. An overpass of WIS 29 at County U could remain a viable option in the future if funding is secured for an overpass. Area access to and from WIS 29 would be provided at County VV and via proposed modifications to other local roadways (see Page 17 for additional details).</i>	7
2	<b><i>With the closing of County U additional traffic will now use Marley Street.</i></b> <i>It is understood that additional traffic may use Marley Street. The Village of Howard, Town of Pittsfield, and Brown County are applying for a grant to update Marley Street to a County Roadway. It is anticipated that the proposed roadway typical section for updating Marley Street from Millwood Court to County C would be an urban section with pedestrian accommodations.</i>	5

3	<p><b>Why are stormwater ponds being proposed and why are they located in their current position?</b></p> <p>Stormwater ponds are being proposed to regulate stormwater runoff, however, other treatment options were considered including swales. Ponds are the preferred alternative as they minimize environmental impacts from the project. The location of ponds took into consideration the existing drainage patterns, changes in storm water due to the proposed improvements, and overall elevations of the proposed drainage basins. In addition, locating a pond in existing drainage ditches would increase environmental impacts, including wetland impacts. Evaluation of all these considerations guided where the proposed ponds were located.</p>	3
4	<p><b>How will existing drainage be impacted by the project? Flooding occurs along Marley Street and Milltown Road.</b></p> <p>The proposed project will not have an impact to the existing drainage issues along Marley Street. The project is not intended to solve local drainage issues outside of the project area on the north part of Marley Street. The new roadway drainage and storm sewer is designed to handle the stormwater of the proposed project. These drainage comments will be shared with local officials for consideration.</p>	2
5	<p><b>How was the location of access to existing businesses determined?</b></p> <p>The design team worked with local officials on the access locations within the project area to remain consistent with local land use, transportation, and economic development planning efforts.</p>	2
6	<p><b>How was the location of Evergreen Avenue and associated roundabout with Marley Street determined?</b></p> <p>Alternatives were presented during numerous stakeholder and public involvement meetings that considered environmental impacts and restrictions, local land use, transportation, and economic development planning efforts, while also meeting current design standards. (See Page 16 for additional details under "Roadway Refinements")</p>	1
7	<p><b>How will the headwaters for Trout Creek be protected?</b></p> <p>Two stormwater detention ponds will be constructed as part of the project to help with removal of total suspended solids and help with peak flow impacts for water flowing to Trout Creek. The water that exits each stormwater pond will be thermally treated to regulate water temperature. Best management practices will be installed during construction for erosion control. Erosion control best management practices follow design guidance provided in the Wisconsin Department of Transportation Facilities Development Manual (FDM) Chapter 10-10. Chapter 10-10 can be found at the following location - <a href="https://wisconsindot.gov/rdwy/fdm/fd-10-10.pdf#fd10-10">https://wisconsindot.gov/rdwy/fdm/fd-10-10.pdf#fd10-10</a>.</p>	
8	<p><b>Can tribal signage be installed with the new proposed interchange</b></p> <p>Signing of the new interchange is under review by WisDOT. Signage to be consistent with state and federal guidelines.</p>	1

- 6. Summarize comments from agencies or local units of government from the Public Hearing and document availability period or additional public involvement following the completion of the Draft ER or EA:**  
No agency or local unit of government comments during Public Hearing and document availability period.  
Agency and local government coordination and comments were documented and incorporated in the Draft ER.
- 7. Summarize changes to the environmental document and project resulting from comments or feedback from the public, agencies or local units of government:**  
No changes made resulting from comments or feedback from the public, agencies or local units of government
- 8. Describe the preferred alternative:**
- The preferred alternative is the same as that described in the environmental document.
  - The preferred alternative is different from that described in the environmental document. Explain changes and why another alternative was selected:

## **BASIC SHEET 2 – TABLE OF CONTENTS, ABBREVIATIONS/ACRONYMS, DOCUMENT DESCRIPTION**

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## 2. Abbreviations and Acronyms

AADT	Average Annual Daily Traffic
AIN	Ag Impact Notice
AIS	Ag Impact Statement
AWDT	Average Annual Weekday Traffic
ACHP	Advisory Council on Historic Preservation
BOA	Bureau of Aeronautics
CFR	Code of Federal Regulations
COE	Corps of Engineers
COUNTY/CTH	County Trunk Highway
DATCP	Department of Agriculture, Trade and Consumer Protection
dBA	Decibels, A-weighted
DHV	Design Hourly Volume
DNR	Department of Natural Resources
DOT	Department of Transportation
EA	Environmental Assessment
ECIP	Erosion Control Implementation Plan
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
ER	Environmental Report
FDM	Facilities Development Manual
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
GP	General Permit
HCM	Highway Capacity Manual (2010)
HMA	Hazardous Materials Assessment
HMVMT	Hundred Million Vehicle Miles Traveled
LOP	Letter of Permission
LWCF	Land and Water Conservation Fund
MOA	Memorandum of Agreement
MOE	Measure of Effectiveness
MPO	Metropolitan Planning Organization
NA	Not Applicable
NAC	Noise Abatement Criteria
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NLC	Noise Level Criteria
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
PCN	Pre-Construction Notification
PIM	Public Involvement Meeting
PLE	Permanent Limited Easement
ROW	Right-of-way
REC	Regional Environmental Coordinator
RPC	Regional Planning Commission
SHPO	State Historic Preservation Office
STIP	State Transportation Improvement Program
TCP	Traditional Cultural Property
TIP	Transportation Improvement Program
TLE	Temporary Limited Easement
TNM	Traffic Noise Model
TSS	Total Suspended Solids
US	United States
USACE	United States Army Corps of Engineers
USCG	United State Coast Guard
US DOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
WDNR	Wisconsin Department of Natural Resources
WEPA	Wisconsin Environmental Policy Act
WisDOT	Wisconsin Department of Transportation
YOE	Year of Expenditure

### **3. Environmental Document Statement**

This environmental document is an essential component of the National Environmental Policy Act (NEPA) and Wisconsin Environmental Policy Act (WEPA) project development process, which supports and complements public involvement and interagency coordination.

The environmental document is a full-disclosure document which provides a description of the purpose and need for the proposed project, the existing environment, analysis of the anticipated beneficial or adverse environmental effects resulting from the proposed action and potential mitigation measures to address identified effects. This document also allows others the opportunity to provide input and comment on the proposed action, alternatives and environmental impacts. Finally, it provides the decision maker with appropriate information to make a reasoned choice when identifying a preferred alternative.

This environmental document must be read entirely so the reader understands the reasons that one alternative is selected as the preferred alternative over other alternatives considered.

## **BASIC SHEET 3 - PURPOSE AND NEED**

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### **1. Purpose and Need**

Initial agency coordination and preliminary design of the proposed action was conducted under WisDOT project ID 9200-06-00. Preliminary design, environmental analysis, and agency coordination from Project ID 9200-06-00 were carried forward into the current Project ID 9200-10-00.

#### **Project Area**

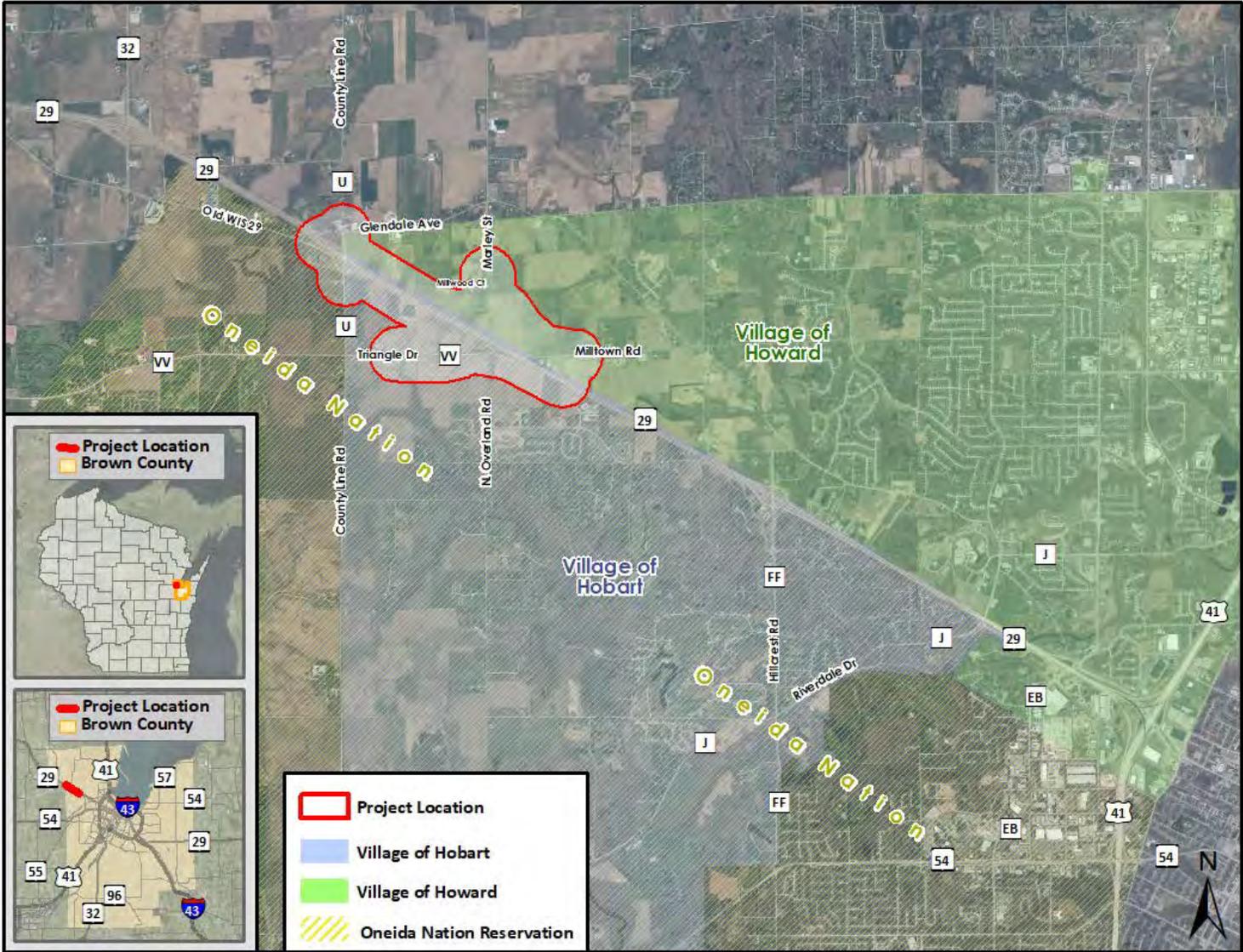
Wisconsin Department of Transportation (WisDOT) Project 9200-10-00 is located along the boundary of the Villages of Hobart and Howard in Brown County, Wisconsin. The project is also located along the northern boundary of the Oneida Nation reservation; WIS 29 serves as a northern boundary of the reservation at this location. The project area includes the intersections of WIS 29/32 with County Highway (County) U (County Line Road) and WIS 29/32 with County VV (Triangle Drive). The project area also encompasses various connecting roadways including Marley Street, Milltown Road, Millwood Court, and North Overland Road. WIS 29 and WIS 32 are concurrent for approximately nine miles, from Green Bay to Pulaski, Wisconsin. WIS 29 is considered the primary route in federal and state programming. For the purpose of this document, "WIS 29" is used to reference the state designated corridor.

WIS 29 is a principal arterial highway and is designated as a system-level priority corridor in *Connections 2030*, WisDOT's long-range transportation plan for the state. The highway serves interstate and inter-regional trips and functions as the primary east-west route across north central Wisconsin. It is the most heavily traveled east-west highway in Wisconsin, north of Interstate 94. Nearly eleven percent of WIS 29 traffic is truck traffic illustrating its importance to Wisconsin's industry, business, and agriculture.

The west project terminus is identified as 800 feet west of the WIS 29/County U intersection. The east project terminus is identified as 2,000 feet east of the WIS 29/County VV intersection. The County U and County VV intersections are the last two remaining at-grade intersections along WIS 29 in Brown County. The WIS 29/WIS 32 connection directly west of the project is a full-service interchange. The WIS 29 at-grade intersections east of the project area [County FF (Hillcrest Road), County J (Riverdale Drive), and County EB] were each reconstructed as grade-separated facilities in the previous 10 years.

The project has termini that are of sufficient length to address environmental matters, provide a section of study that has independent utility (that is, would be a reasonable expenditure even if no additional transportation improvements were made in the area), and does not restrict consideration of alternatives for any other reasonably foreseeable transportation improvements.

Figure 1 – Project Location Map



## **Project Status / Project History**

The WIS 29 corridor has been a high priority at the state and local levels for more than 20 years.

In the 1990s, WisDOT identified this segment of WIS 29 as a high-priority state “backbone” route that needs to be upgraded to freeway standards to improve mobility and safety as development occurs and traffic volumes increase. At the same time, Brown County representatives worked with WisDOT, the county’s communities, the Oneida Nation, and the public to identify a strategy for eliminating the at-grade intersections along Brown County’s portion of WIS 29 during the development of the Brown County Land Use and Transportation Plan.

### **WIS 29 Corridor Study**

After the Brown County Land Use and Transportation Plan was approved in 1996, WisDOT partnered with Brown County, the Oneida Nation, and the communities of Hobart, Howard, and Pittsfield to develop the WIS 29 Corridor Study. The study identified at-grade intersections that will either be converted to grade-separated facilities or eliminated. A **grade-separated facility** is the separation of the levels, or elevations, at which roads cross one another, to prevent conflict points and the possibility of crashes. The improvements to the WIS 29 corridor were recommended to begin at what is now Interstate 41 at the highway corridor’s east end (where development existed) and to proceed west as development occurred.

### **WIS 29 Corridor Preservation Plan**

Following the completion and approval of the WIS 29 Corridor Study, WisDOT began to prepare the Brown County section of the WIS 29 corridor for conversion to a grade-separated facility. The first phase of this process involved developing a corridor preservation plan that analyzed the steps needed to convert Brown County’s portion of WIS 29 from an expressway to a freeway. Expressways and freeways are both multi-lane divided roadways. The difference lies in how vehicles gain access to these roadways. An **expressway** has at-grade intersections at major roadways. A **freeway** only allows access at interchanges, which improves safety for vehicles crossing or turning onto busier highways like WIS 29. This plan was a mapping project that affected development of the right-of-way and allowed for future purchase of some parcels as a means for preserving the area for future improvements.

The corridor preservation plan was concluded with an EA/FONSI signed in January 2008 (WisDOT Project ID 1058-14-00). A copy of the signed cover sheet for the EA/FONSI is included in Appendix 11.

After the corridor preservation plan was finished, WisDOT began the freeway conversion process by rebuilding the outdated and crash-prone WIS 29/Interstate 41 interchange and replacing several dangerous WIS 29 at-grade intersections east of the project area with grade-separated facilities, including:

- County EB
- County J
- County FF

The corridor preservation plan also identified high risk at-grade intersections at County VV and County U. The corridor preservation plan identified a potential interchange at County VV. This recommendation was developed with the cooperation of area residents and officials.

As the other WIS 29 at-grade intersections were being converted to grade separated interchanges, WisDOT began to design a grade-separated interchange at County VV. Initial agency coordination and preliminary design of the County VV interchange and adjacent roadways was conducted under WisDOT project ID 9200-06-00. WisDOT also installed reduced conflict intersection improvements at the at-grade County VV and County U intersections in an effort to improve safety at these locations until an interchange could be built at County VV. These reduced conflict intersections (sometimes referred to as “RCUTs” or Restricted Crossing U-Turn intersections) create restricted and/or lengthened movements, but aid in improving safety. See Figure 2 on the following page for a visual representation of an RCUT. Safety improvements were needed because the Count VV and County U intersections had experienced many high-speed right-angle crashes during the previous years, resulting in many severe injuries.

**Figure 2 – RCUT (Restricted Crossing U-Turn Intersection)**



### **Federal Grant - Better Utilizing Investments to Leverage Development (BUILD)**

Although WisDOT progressed with the preliminary plan development and environmental study of a grade-separated interchange at County VV, project plans and environmental documentation were never finalized due to a lack of available construction funding. In 2018, Brown County, along with the Villages of Howard and Hobart, successfully applied for and were awarded a grant for completion of the County VV interchange, through the U.S. Department of Transportation's Better Utilizing Investments to Leverage Development (BUILD) program. Preliminary design, environmental analysis, and agency coordination from Project ID 9200-06-00 were carried forward into the current Project ID 9200-10-00.

The BUILD Grant also includes the extension of fiber/broadband to the County Highway VV and County U project area, enabling the expansion of Intelligent Transportation System (ITS) technologies in the area. The previous WIS 29 interchange projects east of County VV included the installation of ITS changeable message boards to inform travelers of delays, poor road conditions, and other aspects of the WIS 29 corridor as they enter the Green Bay Urbanized Area. The fiber/broadband extension would enable the extension of these technologies and others, including installation of closed-circuit surveillance/traffic cameras, to the County U and County VV portion of WIS 29.

The proposed fiber/broadband extension included in the BUILD Grant follows unique routes and has independent utility from the transportation improvements proposed for WIS 29, County U, and County VV. Because of this, the environmental impacts of the fiber/broadband extension will be reported in a separate environmental document. Installation and construction of fiber/broadband will be completed in conjunction with construction of Project ID 9200-10-71.

### **Project Purpose**

The overall purpose of the proposed action is to address the safety and mobility of the WIS 29 corridor. The project aims to provide a safe and serviceable corridor that is convenient for area businesses, residents, and the traveling public. This includes motor vehicles, bicyclists and pedestrians, freight carriers, and school/transit buses.

### **Need Factors**

The project is needed to address identified corridor deficiencies. Identified needs include:

- Access and mobility barriers as a result of the expressway system.
- Roadway and safety issues resulting from the varying travel speeds and at-grade access points.
- Multimodal accessibility issues resulting from a lack of appropriate accommodations crossing the high speed and high volume WIS 29 roadway.
- Freight movement issues for area businesses located on both sides of WIS 29 that require safe and convenient WIS 29 access.
- School transportation issues resulting from a rural school district (Pulaski) with students located on both sides of WIS 29, requiring a safe and efficient crossing of the WIS 29 roadway.
- Coordination with local land use/transportation/economic development planning efforts.

Identified needs/deficiencies are described in more detail in the following sections.

**Mobility**

The existing County VV and County U at-grade intersections with WIS 29, with the use of RCUTS, create inefficient movements for roadway users in this part of the corridor. Vehicle speeds and daily traffic volumes on WIS 29 are very high; existing traffic volumes on WIS 29 are 23,000 vehicles per day and growing. The reduced conflict intersections that were installed at County VV and County U do not allow drivers to make left turns directly onto WIS 29 or to proceed directly across the highway, which makes traveling throughout the region and between the residential and commercial developments in the adjacent communities of Hobart and Howard difficult. This network inefficiency problem will continue to worsen as the area continues to develop and the number of people on the area’s transportation system increases.

Previous WIS 29 interchange projects east of County VV included the installation of ITS changeable message boards to inform travelers of delays, poor road conditions, and other aspects of the WIS 29 corridor as they enter the Green Bay Urbanized Area. The County U and County VV areas are within a rural area that does not include fiber/broadband technology, impeding the use of ITS technologies, such as closed-circuit surveillance/traffic cameras, to inform roadway users and overseers of existing roadway conditions, and to assist in efficient traffic movement.

**Safety**

County VV and County U at-grade intersections before reduced conflict intersection installation

Before the reduced conflict intersections were installed at County VV and County U, the two intersections experienced many right-angle injury crashes each year, including a high number of severe injury crashes. In the year 2013, the high number of injury crashes at the County VV and County U intersections prompted WisDOT to restrict vehicle movements at the intersections through the installation of RCUTs at County VV, and restricting movements at County U to right-in, right-out, and left-in only. This was considered to be an intermediate improvement for safety until funding could be secured for a full interchange at County VV. Tables 1 and 2 display crash information for each of the intersections prior to the intersection modifications.

**Table 1: Crash Related Injuries at the County VV At-Grade Intersection between 2008 and 2012 (before RCUT installation)**

WIS 29 at-grade Intersection with County VV	Crash Injury Type					Total
	Fatal (“K”) Injuries	Serious (“A”) Injuries	Minor (“B”) Injuries	Possible (“C”) Injuries	Property Damage Only	
2008-2012	0	3	5	6	26	<b>40</b>

Crash Data Source: Wisconsin Traffic Operations and Safety (TOPS) Laboratory.

**Table 2: Crash Related Injuries at the County U At-Grade Intersection between 2008 and 2012 (before reduced conflict intersection installation)**

WIS 29 at-grade Intersection with County U	Crash Injury Type					Total
	Fatal (“K”) Injuries	Serious (“A”) Injuries	Minor (“B”) Injuries	Possible (“C”) Injuries	Property Damage Only	
2008-2012	0	0	6	4	8	<b>18</b>

Crash Data Source: Wisconsin Traffic Operations and Safety (TOPS) Laboratory.

County VV and County U at-grade intersections after reduced conflict intersection installation

After the reduced conflict intersections were installed at County VV and County U, crashes and severity of injuries at the County VV and County U intersections decreased (but continued to occur). Drivers exiting the RCUT were not allowing for large enough gaps to come up to highway speeds, creating a conflict between vehicles on WIS 29 traveling at or above 65 mph encountering slow-moving vehicles on the WIS 29 mainline that are accelerating to highway speeds after completing the RCUTs and entering WIS 29. As a result, considerable “property damage only” accidents have been occurring. Tables 3 and 4 summarize crashes by type and year at the County VV and County U intersections during the most recent 5-year period since reduced conflict intersections were installed.

**Table 3: Crashes by type and year at the County VV At-Grade Intersection between 2014 and 2018 (after RCUT installation)**

WIS 29 at-grade Intersection with County VV	Crash Injury Type					Total
	Fatal (“K”) Injuries	Serious (“A”) Injuries	Minor (“B”) Injuries	Possible (“C”) Injuries	Property Damage Only	
2014	0	0	0	0	9	9
2015	0	0	1	1	12	14
2016	0	0	1	0	7	8
2017	0	1	2	3	19	25
2018	0	0	0	2	12	14
<b>Total</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>6</b>	<b>59</b>	<b>70</b>

Crash Data Source: Wisconsin Traffic Operations and Safety (TOPS) Laboratory

**Table 4: Crashes by type and year at the County U At-Grade Intersection between 2014 and 2018 (after reduced conflict intersection installation)**

WIS 29 at-grade Intersection with County U	Crash Injury Type					Total
	Fatal (“K”) Injuries	Serious (“A”) Injuries	Minor (“B”) Injuries	Possible (“C”) Injuries	Property Damage Only	
2014	0	0	0	0	1	1
2015	0	0	0	0	0	0
2016	0	0	1	0	2	3
2017	0	0	0	0	3	3
2018	1	0	0	0	1	2
<b>Total</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>7</b>	<b>9</b>

Crash Data Source: Wisconsin Traffic Operations and Safety (TOPS) Laboratory

Even after the reduced conflict intersections were installed, crashes continued to occur on the WIS 29 mainline at and near the locations where people now have to accelerate into high-speed traffic. The crash statistics for the two representative five-year periods before and after the reduced conflict intersection installations suggest that the goal of preventing fatalities and serious injuries at and near the County VV and County U intersections may have been achieved, until August 2018 when a fatality occurred at the WIS 29/County U intersection. Year-by-year crash data also shows that the number of crashes continues to increase at the County VV intersection as development in the area continues to increase. It is also important to note that this safety improvement has been achieved at the expense of mobility in this growing area, which is not an ideal long-term solution for the area’s transportation network.

### **Multimodal Accessibility**

It is currently difficult and unsafe to travel across WIS 29 at the at-grade County VV and County U intersections on foot or by bicycle because WIS 29 is a divided four-lane expressway that carries a high volume of traffic at very high speeds. This creates a multimodal barrier and poses a substantial challenge to people who want to walk and bicycle between the residential and commercial developments on each side of WIS 29.

### **Freight Movement**

There are businesses and industries on both sides of WIS 29 near the County VV and County U intersections that rely on WIS 29 to receive and distribute goods by large truck. The reduced conflict intersections that were installed at County VV and County U make it inconvenient and unsafe for large trucks to enter WIS 29. Trucks also currently have to accelerate to highway speeds and decelerate to turning speeds on the WIS 29 mainline, which is very dangerous and has resulted in high-speed crashes. Because it is inconvenient and dangerous for large trucks to enter WIS 29 at the County VV and County U at-grade intersections, it may be difficult for the Villages of Hobart and Howard to attract and retain businesses and industries in this area.

Both communities' current comprehensive plans identify the County VV and County U areas as future economic growth areas. Some businesses and industries have indicated that they will not locate in the area unless the inefficient and dangerous at-grade intersection at County VV is converted to a grade-separated interchange. The Village of Howard and the Village of Hobart each contain one of a handful of state-designated 'Certified Development Sites'<sup>1</sup> near the County VV intersection, and the ability to attract development to these sites will largely depend on the conversion of the at-grade County VV intersection to a grade-separated interchange. The Certified Sites Program is a Wisconsin Economic Development Corporation (WEDC) created program intended to enable and promote shovel-ready development sites in the state of Wisconsin.

### **School Transportation**

A rural school district (Pulaski) is located on both sides of WIS 29 in this area. Middle and high school students who live on the south side of the highway need to travel to and from their schools on the north side of the highway on school buses or in private vehicles. In addition to being unsafe to transport students across WIS 29 each school day, the highway's barrier effect adds to the expense of busing children. The current WIS 29 roadway configuration (RCUTs) does not provide a direct route across WIS 29 for bussing companies. School districts are billed with the added expense of having to use inefficient bus routes and multiple vehicles due to the highway's barrier effect on the area school district.

### **Local Land Use/Transportation/Economic Development Planning**

As stated previously, the WIS 29 corridor has been a high priority at the state and local levels for more than 20 years. WisDOT has worked closely with Brown County, the Village of Howard, and the Village of Hobart throughout the WIS 29 Corridor planning efforts.

The communities directly located on WIS 29 have adopted comprehensive plans, developed future land use plans, and are actively planning for future planned growth in their communities. Access to WIS 29 plays an important role in local land use planning and economic development decisions. Intensification of development along WIS 29 is currently occurring and is expected to increase over time. Coordinating where cul-de-sacs, grade separations, interchanges, and enhanced local road connections would be located aids land use planning, transportation planning, and economic development at the local level.

This coordination provides certainty to both property owners and local communities as to where proposed improvements to WIS 29 and associated roadways are planned. The certainty about the future of WIS 29 allows communities and property owners to make well-informed decisions. Coordination ensures that future land uses and/or developments do not preclude or are incompatible with future WIS 29 improvements.

<sup>1</sup>"Certified Sites | In Wisconsin." *Think-Make-Happen In Wisconsin*, [inwisconsin.com/doing-business-in-wisconsin/available-sites/certified-sites/](http://inwisconsin.com/doing-business-in-wisconsin/available-sites/certified-sites/).

## 2. Summary of Alternatives

The WIS 29 Corridor Preservation Plan (WisDOT Project 1058-14-00) included a complete alternatives analysis process to determine the locations of future interchanges in the WIS 29 corridor. The WIS 29/County VV intersection was recommended as the location for an interchange in that plan. Conceptual design was undertaken to allow the official mapping of future right-of-way needs under Wis. Stat. 84.295. Under 84.295, WisDOT is statutorily allowed to adopt an Official Map, establishing the location and right-of-way widths for possible future interchange improvements. The Official Map allows WisDOT to serve future needs of a highway corridor and prevents conflicting and costly development on lands needed as future right-of-way. Furthermore, an Environmental Assessment evaluated potential impacts of possible improvements, and following review, received a Finding of No Significant Impact in 2008. The current project (WisDOT Project 9200-10-00) proceeded to refine the conceptual designs for the County VV area provided in the initial Environmental Assessment, and includes a no-build alternative along with two build alternatives, one of which has several variants as described below.

### **Alternative 1 (No-build Alternative): No improvements to the current roadway**

This alternative would include only normal maintenance of the existing roadway. No improvements would be made to any existing roadways except routine maintenance and resurfacing. Other than temporarily improving the pavement surface, this alternative does not address the identified need to maintain the mobility and safety of WIS 29 in the future. The no-build alternative would not improve safety at project intersections. As traffic volumes increase, the no-build alternative would impede regional mobility through this area of WIS 29. The no-build alternative would be inconsistent with area and regional land use plans, which were developed in conjunction with the WIS 29 Corridor Preservation Plan. Continued use of this facility without improvements does not alleviate any of the system conflicts which result from the existing at-grade intersections. The operation of this corridor is integral to local, regional, and statewide planning and transportation success.

The no-build alternative was eliminated early in the project development process because, although it would not affect environmental, community or economic resources, it would not meet the purpose and need defined for the project. The No Build Alternative serves as a baseline for comparison of the Build Alternatives.

**Alternative 1 is not proposed for future consideration.**

### **Alternative 2: Conceptual Design from the WIS 29 Corridor Preservation Plan.**

Alternative 2 was developed in the 2008 Corridor Preservation Plan and was evaluated in the Environmental Assessment accompanying that plan. Alternative 2 includes the following elements:

- Closure of at-grade intersection of WIS 29 and County U
- Construction of an overpass on County U, over WIS 29.
- Construction of a grade-separated interchange at County VV, 1700' west of the existing intersection of County VV with WIS 29.
- Construction of local road connections for Milltown Road, Triangle Drive, and Old HWY 29.

The potential environmental impacts of Alternative 2 were evaluated in the 2008 WIS 29 Corridor Preservation Plan's Environmental Assessment, and following Federal review, this possible further alternative was given a Finding of No Significant Impact. The right-of-way needed to implement this alternative was officially mapped under Wis. Stat. 84.295. Based on changing roadway design standards, technical assessments, a more detailed evaluation of environmental, social and economic impacts, evolving land use and transportation planning, real estate acquisition constraints and public response, Alternative 2 was refined to produce the Proposed Action/Preferred Alternative (Alternative 3).

### **Alternative 3: Updated Interchange and Associated Roadway Design. (Preferred Alternative)**

Alternative 3 includes most of the elements of Alternative 2, with refinements made based on engineering, environmental, and public involvement factors. This alternative differs from Alternative 2 in the following ways:

- Based on the results of an Intersection Control Evaluation effort and public involvement, roundabouts would be constructed at four locations: County VV/Centerline Drive Extension, WIS 29/County VV eastbound ramp terminus, WIS 29/Marley Street westbound ramp terminus, Marley Street/Evergreen Avenue.
- The County VV interchange ramps would be relocated slightly to meet the roundabouts at the ramp termini.
- The at-grade intersection of WIS 29 and County U would be permanently closed; no overpass would be constructed at this time.

Alternative 3 meets the project's purpose and need and is carried forward for further analysis. Alternative 3 would address **mobility** issues by providing convenient and safe access to WIS 29 for drivers, and across WIS 29 for drivers, bicyclists, pedestrians, freight carriers, and school/transit buses. Alternative 3 would address **safety** issues by providing safe traffic merge and diverge points along the WIS 29 mainline and by creating grade-separated access across WIS 29 for drivers, bicyclists, pedestrians, freight carriers, and school/transit buses. Alternative 3 would address **multimodal accessibility** issues by providing a grade-separated highway crossing that includes striped on-street bicycle lanes, off-street sidewalks, and roundabouts at intersections. Alternative 3 would address **freight movement** problems by providing a convenient connection between WIS 29 and the nearby businesses and industries. The grade-separated County VV interchange's on- and off-ramps would also enable large trucks to accelerate and decelerate outside of the WIS 29 mainline, which would substantially improve safety along the highway. Alternative 3 would address **school transportation** problems by providing a safe and convenient multimodal connection across WIS 29.

#### ***Refinements to Roadway Alignments***

Based on public and municipal requests, additional alignment alternatives for the roadways listed below were developed and evaluated in refining Alternative 3. Displays for the alignment alternatives described in the following pages are provided in Appendix 1.

#### ***Milltown Road (future Evergreen Avenue)***

Milltown Road's alternative analysis focused on reducing environmental, business and farming impacts. Six horizontal alignment variations were developed. These variations were first evaluated in a 2011 design memo that is included in Appendix 2. The alternatives below were developed/based on the alternatives discussed in the design memo. Since the time of the Milltown Road alternative analysis, the Village of Howard requested the new extension of Milltown Road to be renamed as Evergreen Avenue.

- Alternative MT 1 (see Appendix 1, page 85): This alternative alignment of Milltown Road attempts to preserve the value of remnant parcels by moving the roadway closer to existing property lines while also avoiding residential or business relocations. It would also allow the existing portion of Milltown Road in front of business and residential properties to remain unchanged. However, this alignment would form a 90-degree bend at the southern connection with existing Milltown Road which would hinder traffic flow. This alternative was later modified to avoid wooded wetlands by shifting the intersection with Marley Street south of the Millwood Court intersection. This alternative was not selected due to the inefficiencies of the 90-degree connection to the existing roadway.
- Alternative MT 2 (see Appendix 1, page 85): This alternative alignment attempts to preserve Milltown Road in front of business and residential properties while also providing a proper connection at the southern limit as not to adversely affect traffic flow. This alternative is projected to be the least expensive in terms of construction costs. This alignment would not require any residential or business relocations; however, it would sever a large agricultural parcel in half. This alternative was later modified to avoid wooded wetlands by shifting the intersection with Marley Street south of the Millwood Court intersection. This alternative was presented to Howard's Village Board and was ultimately not selected for further analysis because it would be difficult to expand the road in the future near existing businesses. It was also determined that the alternative did not complement the Village of Howard's future plans as well as other alternatives.
- Alternative MT 3 (see Appendix 1, page 85): This alternative alignment attempts to minimize severance of the large agricultural parcel east of Marley Street while also properly connecting to the existing portion of Milltown Road as to not adversely affect the flow of traffic. This alternative would split the large agricultural parcel into two sections. For this alternative the intersection at Marley Street could not be shifted south to

avoid the wooded wetlands since the reduction of the curve radii would result in a substandard roadway for the proposed design speed. For this reason, this alternative was not selected for further consideration.

- Alternative MT 4 (see Appendix 1, page 85): This alignment attempts to avoid passing through business and residential areas by connecting to existing Milltown Road east of these properties and running along the northern edge of these properties. It also attempts to minimize severance of the large agricultural parcel to the east of Marley Street. To provide access for the businesses on Old Milltown Road a portion of the old road would be realigned to form a T-intersection with proposed Milltown Road to the north. A cul-de-sac would also be added at the end of Old Milltown Road. This alternative was later modified to avoid wooded wetlands by shifting the intersection with Marley Street south of the Millwood Court intersection. This alternative was selected by the Village of Howard's Village Board as the alternative that most closely followed the Village of Howard's Comprehensive Plan. This alternative was selected for further analysis, and revised to form the Preferred Milltown Road Alternative (see below).
- Alternative MT 5 (see Appendix 1, page 86): This alignment is similar to MT4 except that it provides an intersection instead of a curve east of Marley Street. This option would reduce the severance of parcels and provides better visibility for entrances or sideroads. There would be an issue with what to construct initially since it would only have a two-legged 90-degree intersection. This alternative was not selected due to the inefficiencies of the 90-degree bend in the road. Additionally, it was determined that the alternative did not complement the Village of Howard's future plans as well as other alternatives.
- Alternative MT 6 (see Appendix 1, page 87): This alignment is similar to MT4 and attempts to address comments from the owner of the Shell Gas Station on Milltown Road from the second Public Information Meeting. This alternative is similar to MT4 except that the alignment is shifted closer to the gas station in order to increase visibility to the station's gas pumps. This alternative would require two residential relocations. This alternative would also eliminate the need to rebuild Old Milltown Road through the commercial area. This alternative was presented to Howard's Village Board and was ultimately not selected for further analysis because it was determined that the alternative did not complement the Village of Howard's future plans as well as other alternatives.
- **Alternative MT 4 (Modified)** (see Appendix 1, page 88) (**Preferred Alternative**): The Preferred Alternative of Milltown Road (future Evergreen Avenue) follows the alignment of Alternative MT 4, with the following changes, based on coordination with local officials, property owners, and businesses:
  - The connection with Old Milltown Road would be moved to the west side of the existing gas station. This eliminates a potential relocation where the original Old Milltown Road connection was identified. Local officials wanted to preserve the development potential of the previously identified relocation property.
  - Stormwater would be treated with a stormwater pond, as opposed to a drainage ditch on the east side of Milltown Road. Local officials expressed previous concerns with potential flooding of ditches during heavy rainfalls.

#### County U (see Appendix 1, page 82)

The at-grade intersection of WIS 29 and County U would be permanently closed, with no access from County U onto WIS 29; no overpass would be constructed at this time. Area access to and from WIS 29 would be provided at County VV and via proposed modifications to other local roadways. Alternative analysis at County U focused on the safety of the WIS 29/County U intersection, project costs, and the pace of local land use and development plans. Closure of the County U intersection with WIS 29 would address important safety concerns by eliminating a highway access point with identified crash problems. The 2008 Corridor Preservation Plan identified a local connection via potential construction of a future overpass on County U, over WIS 29. This potential improvement is also identified in local land use plans. An overpass at County U is not included in the Preferred Alternative for the proposed action due to available funding and because the land use that would support the immediate need for an overpass does not currently exist. A future overpass of County U is a local connection improvement that can still be made by local governments in the future, if necessitated by local land use changes and development. An overpass is still identified as the long-term goal at County U.

The preferred alternative at County U would include a wireless receiver to capture signals from a wireless closed-circuit surveillance/traffic camera at the proposed WIS 29/County VV interchange, enabled by the proposed extension of fiber/broadband to the project area.

## County VV

County VV's alternative analysis focused on reducing environmental, farming and residential property impacts. Three horizontal alignment variations were developed:

- VV Alternative 1- Shifted Alignment (see Appendix 1, page 90): This alternative alignment begins south of WIS 29 on County VV approximately 3600' west of WIS 29. The alignment would curve to the north and cross WIS 29 approximately 1700' west of the current intersection of County VV and WIS 29. The alignment would then continue northeast into the large agricultural parcel east of existing Marley Street. A proposed roundabout would be located approximately 530' east of Marley Street and 170' south of the northern agricultural property line. The mainline alignment would bend 90 degrees back towards Marley Street where it would match into Marley Street approximately 500' north of the Millwood Court intersection. This alternative would not require any residential relocations, but it would impact wetlands north of WIS 29. Due to the location of the roundabout in this alternative, this alternative would have the greatest wetland impacts (in comparison to VV Alternatives 2 and 3) and would also partially sever the agricultural land east of Marley Street. Furthermore, the residence east of the Marley Street and Millwood Court intersection would be severely impacted if the residence were not relocated. The proposed roadway would be approximately 70 feet closer to the residence and run directly over the existing septic system in the property owner's front yard. This alternative was not selected for further consideration due to the large wetland impacts and associated property owner impacts resulting from the unconventional roundabout location east of Marley Street.
- VV Alternative 2 - Millwood Court Roundabout (see Appendix 1, page 91): This alternative alignment is identical to Alternative 1, except for the portions north of WIS 29. North of WIS 29, this alignment would run parallel approximately 50' to the east of the existing Marley Street alignment. At the intersection of Millwood Court, a four-legged intersection would be constructed connecting Millwood Court, Marley Street, and Milltown Road. The mainline alignment matches back into Marley Street approximately 900' north of Millwood Court. This alternative would require one residential relocation and would impact wetlands north of WIS 29. In addition, access locations to the adjacent properties west of the realigned segment of Marley Street are undesirable from a safety perspective. Two of the driveways are located directly within the roundabout and an additional three driveways are within 200 feet of the roundabout. Also, due to the close proximity of the roundabout and the realignment of Milltown, changes in traffic patterns would be expected which would lead to truck noise and headlights negatively impacting adjacent residences. This alternative was not selected for further consideration due to its large impacts to wetlands, undesirable property owner access locations, and negative impacts to adjacent landowners.
- **VV Alternative 3 - Milltown Roundabout (Preferred Alternative)** (see Appendix 1, page 92): This alternative alignment is identical to Alternative 1, except for portions on the north half of WIS 29. North of WIS 29, this alignment would merge on the existing Marley Street alignment south of the Millwood Court intersection. The roundabout connecting Marley Street and Milltown Road would be located approximately 375' south of the existing Millwood Court and Marley Street intersection. Wetland impacts would be minimized with this roundabout location. Three residences were previously located on the west side of Marley Street, south of Millwood Court, adjacent to the proposed Milltown roundabout. A preliminary design phase identified these properties as potential relocations. The three residences could not be safely connected to Marley Street near the roundabout without having to make substantial changes to the front lawns of the properties. Potential changes in travel patterns (headlights, increased traffic, truck noise) were additional negative impacts on these properties. Because the potential project did not have a construction date, WisDOT completed a hardship purchase of the properties in 2015 under the Wis. Stat. 84.295 Official Map process. The three residences purchased are still identified as relocations on the Alternative Displays provided in Appendix 1.

The preferred alternative at County VV would include a closed-circuit surveillance/traffic camera on WIS 29, enabled by the proposed extension of fiber/broadband to the project area.

This is the preferred alternative due to the reduced impact to wetlands, minimal agricultural impacts, and elimination of access points between the roundabouts.

### Centerline Drive

Centerline Drive is a new roadway that would be constructed on the south leg of a proposed roundabout with County VV (Triangle Drive), located approximately 1,000 feet southwest of a proposed roundabout at County VV and the WIS 29 eastbound ramp terminus. Centerline Drive would provide a connection to North Overland Road. Alternative analysis at Centerline Drive focused on providing appropriate connectivity, accommodating local land use and development plans, and mitigating environmental and property impacts where possible. Two Centerline Drive variations were analyzed:

- **Alternative CL 1 (Preferred Alternative)** (see Appendix 1, page 94): This alternative would provide a connection to North Overland Drive, and a connection into the Village of Hobart's long terms plans for development. This alternative would sever an existing agricultural parcel, with larger amounts of property acquisition than Alternative CL 2. Although property impacts would be slightly greater for this alternative, Alternative CL 1 was chosen as the preferred alternative because it would provide better connectivity to existing roadways and accommodate the Village of Hobart's land use and development plans.
- Alternative CL 2 (see Appendix 1, page 94): This alternative would reconnect with County VV (Triangle Drive) east of the proposed roundabout with County VV (Triangle Drive). This alternative would construct a shorter section of roadway than CL 1, connecting with North Overland Drive at a stop-controlled intersection. This intersection would have poor sight distance, creating a potential safety issue. Alternative CL 2 would also sever an existing agricultural parcel, creating an unfarmable, remnant parcel that would also be undevelopable due to drainage issues. Alternative CL 2 would not provide connectivity or connections with the long-term land use and development plans for the area. For these reasons, Alternative CL 2 was not selected for further analysis.

### **3. Description of Proposed Action**

WisDOT Project ID 9200-10-00 is a highway reconstruction project on WIS 29, County VV, and County U in Brown County. The project is located in the Village of Howard and the Village of Hobart. WIS 29 is the dividing line between the two villages, with the Village of Howard being located north of the WIS 29 roadway and the Village of Hobart being located south of the WIS 29 roadway. WIS 29 also serves as the northern boundary of the Oneida Nation reservation. A Project Location map is shown in Figure 1 (page 2). Displays of the proposed action are included in Appendix 1, pages 81 to 83. Preliminary Project plans are included in Appendix 3.

The Proposed Action is Alternative 3 (Preferred Alternative) with the additional components developed in the local road refinement process.

Specific proposed project improvements include:

- Closure of the existing at-grade intersection of WIS 29 and County VV. Construction of a diamond interchange at County VV and WIS 29; located approximately 1,700 feet west of the existing County VV/WIS 29 intersection. This interchange would connect with Marley Street to the north and County VV to the south. Roundabouts would be constructed at the County VV/WIS 29 eastbound ramp terminus, and the Marley Street/WIS 29 westbound ramp terminus.
- Evergreen Avenue (existing Milltown Road) would be realigned to intersect with Marley Street at a roundabout located approximately 375 feet south of the existing Millwood Court/Marley Street intersection.
- County VV (Triangle Drive) would be realigned to intersect with a roundabout located approximately 1,000 feet southwest of the roundabout at County VV and the WIS 29 eastbound ramp terminus. A new roadway, Centerline Drive Extension, would be constructed on the south leg of this roundabout, providing a connection to North Overland Road.
- A cul-de-sac would be constructed at the intersection of North Overland Road and Triangle Drive.
- Closure of the WIS 29 intersection with County U (County Line Road). On the north side of WIS 29, County Line Road would end at Glendale Avenue, and on the south side of WIS 29, County Line Road would connect to Old Wisconsin 29.
- A closed-circuit surveillance/traffic camera would be added on WIS 29 at the proposed County VV interchange, enabled by the proposed extension of fiber/broadband to the project area. Previous WIS 29 interchange projects east of County VV included the installation of ITS changeable message boards to inform travelers of delays, poor road conditions, and other aspects of the WIS 29 corridor as they enter the Green Bay Urbanized Area. Although there are no immediate plans for additional ITS message boards on WIS 29, the fiber/broadband extension would provide an option for extension of these technologies in the future.

#### **4. Construction and Operational Energy Requirements**

Construction energy requirements for the proposed project would consist primarily of fuel consumption by construction equipment and energy expended in producing materials needed to construct the new facility. Operational energy requirements are measured by the efficiency of vehicle operation in the corridor. While the amount of construction energy expended would be least for the No Build Alternative, the projected construction energy requirements for the Build Alternatives would be relatively similar.

Immediate energy requirements for construction of the Build Alternatives would be greater than the No-Build Alternative. However, the No-Build Alternative would perpetuate the use of an inefficient transportation system and deteriorated pavement structure. Unimproved geometrics and clearances would potentially increase crash and safety problems as well. Over the design life of the facility, savings in operational energy would likely be greater than the energy required to construct the facility and, in the long-term, would result in net savings in energy usage.

Maintenance costs would also be greater for the No-Build Alternative. The existing pavement structure would continue to deteriorate and utilize greater amounts of maintenance funds, in addition to the additional energy consumption associated with maintenance related delays for the motoring public.

#### **5. Land Use Adjoining and Surrounding Area**

The project area is located on the edge of a growing low intensity urban area of Brown County in northeast Wisconsin. This section of WIS 29 unofficially separates the Village of Hobart to the south and the Village of Howard to the north. WIS 29 serves as a principal arterial for both villages. WIS 29 also serves as the northern boundary of the Oneida Nation reservation.

The primary land use in the project area is agricultural, although much of the area adjacent to WIS 29 right-of-way has been converted to commercial and residential land use. Over the past two decades, Brown County has experienced rapid growth, which has contributed to a reduction in the amount of land devoted to agriculture. There is some scattered commercial development along the right-of-way in the project area, with denser residential development at the east end of the project, and in the Village of Hobart and the Village of Howard. Three commercial properties exist on Milltown Road, near the County VV/WIS 29 intersection. These properties include the Maplewood Shell/Arby's Restaurant (gas station), Maplewood Meats (meat processing and retail store), and Village Auto (used car sales). Several clusters of rural residential development exist throughout the project area.

Although the immediate project area is largely farmed at this point, a development that contains a dense mixture of commercial, industrial, and residential uses has been established south of the WIS 29/County VV intersection in the Village of Hobart. This development (known as Centennial Centre) has been gradually growing toward the WIS 29/County VV intersection for the last decade.

## 6. Planning and Zoning

The table below lists adopted local or regional plans for the project area and zoning regulations.

Plan Name	Author/Year	Comments
Wisconsin State Highway Plan 2020	WisDOT, 2000	WIS 29 is designated a Corridors 2020 Backbone route. Includes recommendation to convert WIS 29 to a limited access freeway. The Proposed Action is consistent with the recommendations of the plan.
Brown County Land Use and Transportation Plan	Brown County, 2002	A County VV interchange is identified as a high-priority project in this plan.
Village of Howard Comprehensive Plan	Village of Howard, 2002	A County VV interchange is identified as a high-priority project in this plan.
Brown County Comprehensive Plan	Brown County, 2004	A County VV interchange is identified as a high-priority project in this plan.
Green Bay MPO Long Range Transportation Plan	Brown County Planning Commission/Green Bay MPO, 2005	A County VV interchange is identified as a high-priority project in this plan.
Village of Hobart Comprehensive Plan	Village of Hobart, 2005	A County VV interchange is identified as a high-priority project in this plan.
Town of Pittsfield Comprehensive Plan	Brown County Planning Commission, 2007	This plan is currently being updated. The Proposed Action does not conflict with any goals or recommendations in the 2007 plan.
WIS 29 Corridor Plan	WisDOT, 2008	Includes recommendations for improvements to the County VV and County U intersections. The Proposed Action is consistent with the recommendations of the plan.
Connections 2030	WisDOT, 2009	Includes recommendation to convert WIS 29 to a limited access Freeway. The Proposed Action is consistent with the recommendations of the plan.
Town of Oneida Comprehensive Plan (Outagamie County)	Town of Oneida, 2009	The plan identifies easy and convenient access to WIS 29 as a priority. Proposed improvements at County U and County VV are not specifically identified in the plan.
Green Bay MPO Long Range Transportation Plan	Brown County Planning Commission/Green Bay MPO, 2010	A County VV interchange is identified as a high-priority project in this plan.
Village of Howard Comprehensive Plan (current plan)	RDG Planning & Design, 2012	Potential improvements to the WIS 29 corridor, including the STH 29/County VV intersection, are identified. The Proposed Action is consistent with the recommendations of the plan.
Green Bay MPO Congestion Management Plan	Brown County Planning Commission/Green Bay MPO, 2013	A County VV interchange is identified as a high-priority project in this plan.
Oneida Reservation Comprehensive Plan Update (current plan)	Oneida Planning Department, 2014	There are no conflicts between the Oneida Nation's plan and the proposed WIS 29 project. The Oneida Nation is aware of the proposed WIS 29 improvements, and the project's implementation is incorporated into their planning efforts.
Green Bay MPO 2045 Long-Range Transportation Plan Update (current plan)	Brown County Planning Commission/Green Bay MPO, 2015	Identifies the WIS 29 Conversion to Freeway, including the STH 29/County VV intersection, as a major planned highway project. The Proposed Action is consistent with the recommendations of the plan.
Village of Hobart 2036 Comprehensive Plan (current plan)	Community Planning & Consulting, LLC, 2016	Potential improvements to the WIS 29 corridor, including the STH 29/County VV intersection, are identified. The Proposed Action is consistent with the recommendations of the plan.
Green Bay MPO Congestion Management Plan (current plan)	Brown County Planning Commission/Green Bay MPO, 2017	A County VV interchange is identified as a high-priority project in this plan.

## 7. Indirect Effects and Cumulative Effects

If any of the following boxes are checked, the Pre-Screening Worksheet for EA and ER Projects For Determining the Need to Conduct a Detailed Indirect Effects Analysis found in Appendix A of the WisDOT report titled *Guidance for Conducting an Indirect Effects Analysis* must be completed and attached to this environmental document.

An alternative being carried forward for detailed consideration includes;

- Economic development as a purpose and need element of the proposed project.
  - Construction of one or more new or additional through lanes.
  - Construction of a new interchange or elimination of an existing interchange.
  - Construction of one or more additional ramps or relocation of a ramp lane to a new quadrant on an existing interchange.
  - Changing an at-grade intersection to a grade-separation with no access or a grade-separation to an at-grade intersection.
  - Construction of one or more additional intersections along the mainline created by a new side road access.
  - One or more new access points along a side road within 500' of the mainline.
- None of the above boxes have been checked, it has therefore been concluded that the proposed action will not result in indirect effects or cumulative effects.
- The proposed action may result in indirect effects or cumulative effects. The Pre-Screening Worksheet for EA and ER Projects For Determining the Need to Conduct a Detailed Indirect Effects Analysis attached as \_\_\_\_\_ indicates a detailed indirect effects and cumulative effects analysis is not required.
- The proposed action may result in indirect effects or cumulative effects. It has been determined that a detailed indirect effects and cumulative effects analysis is required. See Indirect and Cumulative Effects Memo in Appendix 7.

In March 2007, an indirect and cumulative effects analysis was prepared in conjunction with the Corridor Preservation Plan. This analysis was evaluated and updated for the current proposed action. Possible indirect effects included growth induced by improved transportation links, conversion of farmland to other uses, and increase rates of impacts to wetland and water resources. These land use changes were anticipated in the community's comprehensive plans.

Similar trends and conclusions of the analysis are anticipated with respect to the refined proposed action. Beneficial effects include increased ability to meet local objectives for economic development, particularly in the Centennial Centre development which will be served, in part, by the proposed action. See Factor Sheet B-1 Community or Residential Evaluation for more information.

**8. Environmental Justice**

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

\*Conducting only a windshield survey is not sufficient to make a determination regarding whether or not populations are present.

Based on data obtained from the methods above, are populations covered by EO 12898 present in the project area?

- a.  No
- b.  Yes – Factor Sheet B-4 must be completed.

A summary of US census estimates between the years 2012 and 2016 for populations within ½ mile of the project corridor, and for comparison, Village of Howard, Village of Hobart, and Brown County, is shown below. This information was obtained using the EPA screening and mapping tool. ([www.epa.gov/eiscreen](http://www.epa.gov/eiscreen))

	<b>Within ½ Mile of Project Corridor</b>	<b>Village of Howard</b>	<b>Village of Hobart</b>	<b>Brown County</b>
Total population	667	19,634	8,896	262,052
White	91% of total population	92% of total population	79% of total population	88% of total population
Black or African American	0.1% of total population	1% of total population	0.1% of total population	3% of total population
American Indian and Alaska Native	2% of total population	1% of total population	11% of total population	3% of total population
Asian	4% of total population	4% of total population	4% of total population	3% of total population
Some Other Race	0.1% of total population	1% of total population	0.1% of total population	3% of total population
Hispanic or Latino of any Race	1% of total population	4% of total population	1.7% of total population	9% of total population
Age 65 and over	11% of total population	14% of total population	13% of total population	14% of total population

\*Totals greater or less than 100 are due to persons reporting more than one race.

Based on the results of demographic analysis using the EPA screening and mapping tool, 0% of the households within ½ mile of the project corridor are reported as being linguistically isolated. Linguistic isolation is defined as households in which no one age 14 and over speaks English very well or speaks English only.

No minority or low-income populations have been identified that would be adversely impacted by the proposed project. Therefore, this project is in compliance with Executive Order 12898 on Environmental Justice.

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

Indicate whether or not issues have been identified or concerns have been expressed related to Title VI of the 1964 Civil Rights Act, the Americans with Disabilities Act or the Age Discrimination Act.

- a.  No – Issues related to the above laws were not identified and concerns were not expressed
- b.  Yes – Issues related to the above laws were identified and/or concerns were expressed. Explain:

## 10. Public Involvement

### A. Public Meetings

Date (m/d/yyyy)	Meeting Sponsor (WisDOT, RPC, MPO, etc.)	Type of Meeting (PIM, Public Hearings, etc.)	Location	Approx. Number of Attendees
June 2011	WisDOT	PIM	Hillcrest Elementary School	80
April 2012	WisDOT	PIM	Hillcrest Elementary School	75
May 2012	WisDOT	Property Owners Meeting	Maplewood Meats, 4663 Milltown Road, Green Bay, WI	15
April 2013	WisDOT	PIM	Hillcrest Elementary School	70
April 2019	WisDOT	Local Officials Meeting	Ayres Associates, Green Bay WI	20
May 2019	WisDOT	Local Officials Meeting	Ayres Associates, Green Bay WI	25
June 2019	WisDOT	Public Hearing	Northeast Wisconsin Technical College Green Bay Campus	75

### B. Other methods such as those identified in the Public Involvement Plan and Environmental Justice Plan (if applicable):

#### Project Newsletters

Newsletters were produced and distributed to study area residents and property owners. The newsletters served to update stakeholders on project development and to invite area residents, businesses, and property owners to public information activities.

#### Project Website

A project website was developed to distribute project information and to enable stakeholders to provide comments on the project. (<https://wisconsindot.gov/Pages/projects/by-region/ne/wis29study/default.aspx>)

#### Advisory Committee

A WIS 29 advisory committee was established to keep local officials and project area residents up to date and to obtain local input. Advisory Committee members also provided a link between the project team and project-area residents. The committee is composed of local government representatives, resource agency representatives, community groups, and business representatives. Five meetings were held: December 7, 2010; June 14, 2011; November 17, 2011; March 28, 2012; and March 19, 2013.

### C. Identify groups that participated in the public involvement process. Include any organizations and special interest groups including but not limited to:

The public involvement process was inclusive of all residents and population groups in the study area and did not exclude any persons because of income, race, color, religion, national origin, sex, age, or disability. Public meetings were held in a handicap accessible building. No extraordinary measures were needed due to disabilities.

There is a Native American population located in and around the project corridor. The Oneida Nation owns land in the area of the project and has plans to continue to regain tribal land in this area. On December 20, 2010 letters were sent to the Oneida Nation and other Native American tribes notifying them about the project and providing an opportunity for comment. The WisDOT held individual meetings with Oneida Nation officials in November of 2010, October of 2011, and February 2019 to discuss potential impacts to tribal land. Project update letters were sent to the Oneida Nation and other Native American tribes in July 2015, July 2016, and March 2019.

Public involvement and coordination meetings included representatives from the Village of Howard, the Village of Hobart, Brown County, local businesses, and neighboring residents.

### D. Indicate plans for additional public involvement, if applicable:

An additional Local Officials Meeting and Public Involvement Meeting will be held in the Fall of 2019. Additional public meetings will be held as necessary during the final design stage of the project.

**11. Briefly summarize the results of public involvement.**

**A. Describe the issues, if any, identified by individuals or groups during the public involvement process:**

**PIM #1 (June 2011)**

At the first Public Information Meeting, attendees were reintroduced to the project, learned about refinements to the conceptual design completed in the WIS 29 Corridor Preservation Plan, and commented on preliminary design for the alternatives for County U, County VV, and Milltown Road. Many residents responded favorably to the project, citing existing difficulties in entering, exiting and crossing WIS 29 due to high traffic volumes. They generally approved of the roundabouts recommended for intersections. A resident near County U preferred the alignment of Old 29 shown. Another resident along the west side of County U preferred the alternatives that included relocating his property.

Specific issues identified during PIM #1 include:

1. The owner of a potentially impacted business (Maplewood Meats) off of Milltown Road was concerned about access to his parking lot and the possibility of expanding his lot in the future.
2. Snowmobile routing is a general public concern identified through stakeholder involvement activities.

**PIM #2 (April 2012)**

The second Public Information Meeting attendees were updated with project changes since the first meeting.

Specific issues identified during PIM #2 include:

3. A resident along Marley Street was concerned about saving trees and potential drainage issues in his front yard. He is also not in favor of his access being "right-in right-out", conflicts with his mound system, and other property issues.
4. The owners of the Shell Gas Station located on Milltown Road are concerned about visibility of their gas pumps from the relocated Milltown Road. For this meeting the preferred Milltown alternative runs north of their property; previous alternatives showed Milltown Road in front of their property. He asked if Milltown could be changed to cut through the edge of his property if Milltown is to be relocated to the north. He believes that this will increase visibility to his pumps.
5. Property owners of the large parcel of farmland east of Marley Street are concerned about segmentation of their farmland.

**PIM #3 (April 2013)**

At the third Public Information Meeting attendees were once again updated with project changes. There were some concerns about drainage near Maplewood Meats and driveway access.

**B. Briefly describe how the issues identified above were addressed:**

1. The ultimate alignment for Milltown Road (revised MT4) appeased both Maplewood Meats and the landowner of the large agricultural parcel east of Marley Street. This alignment was the preferred alternative of Maplewood Meats. The alignment for Milltown Road revised the access point between Evergreen Avenue (Milltown Road) and Old Milltown Road, allowing access to Maplewood Meats to remain as is.

It also satisfied the owner of the agricultural parcel since the alternative would not split his parcel in half and would leave a large section of land between Milltown and Marley Street.

2. Snowmobile club coordination is ongoing to address the trail crossing of WIS 29 at County U.
3. The median in front of the property owner on Marley Street was changed to permit left turns in and out of his accesses. Other changes were made to address drainage issues and to avoid his mound system as well.
4. A new alternative alignment for Milltown Road (MT5) was formed after the response from the owner of the Shell Gas Station to attempt to address their concerns of visibility of their gas pumps. This new alignment was presented to landowners at the Property Owners meeting a month after the second Public Information Meeting. This alternative was brought before the Village of Howard Board but was not chosen as the preferred alternative.

The alignment for Milltown Road chosen as the preferred alternative (revised MT4) revised the access point between Evergreen Avenue (Milltown Road) and Old Milltown Road, allowing access to the gas station to remain as is.

5. See #1 above.

## 12. Local/regional/tribal/federal government coordination

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

Unit of Government (MPO, RPC, City, County, Village, Town, Tribal, Federal, etc.)	Coordination Correspondence Attached	Coordination Initiation Date (m/d/yyyy)	Coordination Completion Date (m/d/yyyy)	Comments
Village of Hobart	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11/8/2010 (initial) 1/7/19 (update meeting) 1/14/19 (Stakeholder mtg) 2/26/19 (update meeting) 3/29/19 (update meeting) 4/10/19 (update meeting)	Ongoing	Coordination has been ongoing since a 11/8/2010 Project Kick-Off Meeting. The Village of Hobart is a project partner and joint applicant for project funding through a Federal BUILD Grant awarded in 2018. Coordination with the Village will be ongoing throughout the project.
Village of Howard	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11/8/2010 (initial) 12/18/18 (update meeting) 1/14/19 (Stakeholder mtg) 2/15/19 (update meeting) 3/8/19 (update meeting) 4/5/19 (update meeting)	Ongoing	Coordination has been ongoing since a 11/8/2010 Project Kick-Off Meeting. The Village of Howard is a project partner and joint applicant for project funding through a Federal BUILD Grant awarded in 2018. Coordination with the Village will be ongoing throughout the project.
Brown County	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11/8/2010 1/14/19 (Stakeholder meeting)	Ongoing	Coordination has been ongoing since a 11/8/2010 Project Kick-Off Meeting. Brown County is a project partner and joint applicant for project funding through a Federal BUILD Grant awarded in 2018. Coordination with the County will be ongoing throughout the project.
Outagamie County	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11/8/2010 1/14/19 (Stakeholder meeting) 4/17/2009 (update meeting)	Ongoing	Coordination has been ongoing since a 11/8/2010 Project Kick-Off Meeting.
Oneida Nation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	11/29/2010 (initial) 10/4/2011 (update meeting) 2/13/19 (update meeting) 4/10/19 (update meeting) 4/17/19 (update meeting) 5/2019 (update meeting)	Ongoing	Coordination has been ongoing since the 11/29/2010 Meeting. Coordination with the Oneida Nation will be ongoing throughout the project.
Town of Pittsfield	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11/8/2010 1/14/19 (Stakeholder meeting)	Ongoing	Coordination has been ongoing since a 11/8/2010 Project Kick-Off Meeting. Coordination with the Town will be ongoing throughout the project.
Town of Oneida	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11/8/2010 4/17/19 (update meeting)	Ongoing	Coordination has been ongoing since a 11/8/2010 Project Kick-Off Meeting. Coordination with the Town will be ongoing throughout the project.

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

1. Village of Howard expressed concerns with flooding near Marley/Glendale Avenue.
2. Local officials expressed concerns regarding local business access.
3. The Oneida Nation expressed concerns about watershed impacts to the headwaters of Trout Creek, from the proposed North Overland Road connection.
4. Town of Pittsfield expressed concerns with closing access at County U; due to potential issues for freight access to light industry located near the County U area.

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

1. Project design will account for stormwater for this project; however, the Village of Howard will need to address offsite issues and inform designers of long-range plans for coordination purposes.
2. The project design was refined to address business access concerns.
3. The Oneida Nation waterway specialist will continue to be coordinated with to discuss specific concerns regarding potential watershed impacts. Proposed mitigation strategies for Trout Creek watershed impacts would include routing drainage north of North Overland Road into a pond to control the flow of water into an existing agricultural ditch. Both ponds that would discharge water into the Trout Creek watershed would have thermal treatment to cool the pond water.
4. Existing freight access at County U is currently restricted to right-in, right-out, left-in. Proposed improvements would provide full access for freight movements at the County VV interchange.

**D. Indicate any unresolved issues or ongoing discussions:**

WisDOT will continue to coordinate with local governments regarding the following issues:

- Watershed impacts to head waters of Trout Creek
- Freight access to the County U area

**13. Public Hearing Requirement**

- This document is an Environmental Assessment.
- A Notice of Opportunity to Request a Public Hearing **will be** published, or,
- A Public Hearing **will be** held.
- This document is a Type 2c Categorical Exclusion / Environmental Report.
- A substantial amount of right-of-way **will** be acquired.
- The proposed action **will** substantially change the layout or functions of connecting roadways or of the facility being improved.
- The proposed action **will** have a substantial adverse impact on abutting property.
- The proposed action **will** have other substantial social, economic, environmental effects.
- The department has made a determination that a public hearing is in the public interest.
- None of the above boxes have been checked, it has therefore been concluded that a Notice of Opportunity to Request a Public Hearing **will not** be published and a Public Hearing **is not** required, or,
- A Notice of Opportunity to Request a Public Hearing **will be** published, or,
- A Public Hearing **will be** held. **Public Hearing was held on June 5, 2019.**

**Note: For federally-funded projects, FHWA signature of this environmental document indicates concurrence with the department's Public Hearing requirement determination.**

**Public Hearing (June 2019)**

A public hearing for the project was held on June 5, 2019, from 6 to 8 P.M. at the Northeast Wisconsin Technical College Green Bay Campus. Legal notices were published in the Green Bay Press Gazette. A project newsletter was mailed on May 16, 2019 to property owners along the corridor, federal, state, and local officials, and Native American tribes. The newsletter provided notification of the upcoming public hearing on June 5, 2019 and the availability of the project's draft environmental document. Approximately 75 people attended the public hearing. A hybrid hearing format was used with an open house, a formal presentation, and public testimony. The hearing provided the opportunity to testify both in a public forum setting as well as in private. Opportunity to provide written comments was also offered. All written comments needed to be postmarked no later than June 17, 2019. Project exhibits and maps were available and there was informal discussion of the project between members of the public and the study team. During the formal public hearing portion, WisDOT staff presented a summary of the project and public participants were invited to provide public testimony. A formal presentation and displays at the hearing described the following: how to provide verbal or written testimony about the document; the project purpose and need; range of alternatives carried forward for detailed study; alternative comparison; the Preferred Alternative; and the project schedule. A Hearing Handout Packet summarizing this information was provided. Court reporters were available to take verbal testimony in public and in private. All comments received during the public hearing and the comment period are summarized in Appendix 12.

**BASIC SHEET 4 - TRAFFIC SUMMARY MATRIX**

	ALTERNATIVES/SECTIONS					
	Alt 1-No Build		Alt 2		Alt 3 (Preferred)	
<b>TRAFFIC VOLUMES</b>						
Existing ADT Yr. 2009-2018	23000 (WIS 29: west of CTH VV) 23000 (WIS 29: east of CTH VV) 910 (CTH U: north of WIS 29) 1900 (CTH U: south of WIS 29) 1800 (CTH VV: south of WIS 29) 1100 (Marley Street) 1000 (Milltown Road)		23000 (WIS 29: west of CTH VV) 23000 (WIS 29: east of CTH VV) 910 (CTH U: north of WIS 29) 1900 (CTH U: south of WIS 29) 1800 (CTH VV: south of WIS 29) 1100 (Marley Street) 1000 (Milltown Road)		23000 (WIS 29: west of CTH VV) 23000 (WIS 29: east of CTH VV) 910 (CTH U: north of WIS 29) 1900 (CTH U: south of WIS 29) 1800 (CTH VV: south of WIS 29) 1100 (Marley Street) 1000 (Milltown Road)	
Const. Yr. ADT Yr. 2022	23600 (WIS 29: west of CTH VV) 25800 (WIS 29: east of CTH VV) 1200 (CTH U: north of WIS 29) 2100 (CTH U: south of WIS 29) 2600 (CTH VV: south of WIS 29) 2400 (Marley Street) 1700 (Milltown Road)		23600 (WIS 29: west of CTH VV) 25600 (WIS 29: east of CTH VV) 610 (CTH U: north of WIS 29) 860 (CTH U: south of WIS 29) 2800 (CTH VV: south of WIS 29) 5100 (Marley Street) 340 (Milltown Road)		23600 (WIS 29: west of CTH VV) 25600 (WIS 29: east of CTH VV) 610 (CTH U: north of WIS 29) 860 (CTH U: south of WIS 29) 2800 (CTH VV: south of WIS 29) 5100 (Marley Street) 340 (Milltown Road)	
Const. Plus 10 ADT – Yr. 2032	25000 (WIS 29: west of CTH VV) 29700 (WIS 29: east of CTH VV) 1400 (CTH U: north of WIS 29) 2300 (CTH U: south of WIS 29) 3100 (CTH VV: south of WIS 29) 3400 (Marley Street) 2400 (Milltown Road)		25200 (WIS 29: west of CTH VV) 29000 (WIS 29: east of CTH VV) 820 (CTH U: north of WIS 29) 1000 (CTH U: south of WIS 29) 3300 (CTH VV: south of WIS 29) 6300 (Marley Street) 660 (Milltown Road)		25200 (WIS 29: west of CTH VV) 29000 (WIS 29: east of CTH VV) 820 (CTH U: north of WIS 29) 1000 (CTH U: south of WIS 29) 3300 (CTH VV: south of WIS 29) 6300 (Marley Street) 660 (Milltown Road)	
Design Yr. ADT – Yr. 2042	26500 (WIS 29: west of CTH VV) 33600 (WIS 29: east of CTH VV) 1600 (CTH U: north of WIS 29) 2500 (CTH U: south of WIS 29) 3700 (CTH VV: south of WIS 29) 4500 (Marley Street) 3200 (Milltown Road)		26700 (WIS 29: west of CTH VV) 32400 (WIS 29: east of CTH VV) 1000 (CTH U: north of WIS 29) 1200 (CTH U: south of WIS 29) 3900 (CTH VV: south of WIS 29) 7600 (Marley Street) 970 (Milltown Road)		26700 (WIS 29: west of CTH VV) 32400 (WIS 29: east of CTH VV) 1000 (CTH U: north of WIS 29) 1200 (CTH U: south of WIS 29) 3900 (CTH VV: south of WIS 29) 7600 (Marley Street) 970 (Milltown Road)	
DHV – Yr. 2041	2384		3500		3500	
<b>TRAFFIC FACTORS</b>						
K [ <input checked="" type="checkbox"/> 30 / <input type="checkbox"/> 100 / <input type="checkbox"/> 200] (%)	10.8%		10.8%		10.8%	
D (%)	62/38		62/38		62/38	
Design Year T (% of ADT)	8.3%		8.3%		8.3%	
T (% of DHV)	6.9%		6.9%		6.9%	
Level of Service	A/B		A/B		A/B	
<b>SPEEDS</b>						
Existing Posted	WIS 29: 65 CTH U: 45 CTH VV: 40	Old 29: 45 Marley St: 40 Milltown Rd: 40	WIS 29: 65 CTH U: 45 CTH VV: 40	Old 29: 45 Marley St: 40 Milltown Rd: 40	WIS 29: 65 CTH U: 45 CTH VV: 40	Old 29: 45 Marley St: 40 Milltown Rd: 40
Future Posted	WIS 29: 65 CTH U: 45 CTH VV: 40	Old 29: 45 Marley St: 40 Milltown Rd: 40	WIS 29: 65 CTH U: 45 CTH VV: 40	Old 29: 45 Marley St: 40 Milltown Rd: 40 OldMilltown: 25	WIS 29: 65 CTH U: 45 CTH VV: 40	Old 29: 45 Marley St: 40 Milltown Rd: 40 OldMilltown: 25
Design Year Project Design Speed	WIS 29: 65 CTH U: 45 CTH VV: 40	Old 29: 45 Marley St: 40 Milltown Rd: 40	WIS 29: 70 CTH U: 50 CTH VV: 45	Old 29: 45 Marley St: 45 Milltown Rd: 45 OldMilltown: 30	WIS 29: 70 CTH U: 50 CTH VV: 45	Old 29: 45 Marley St: 45 Milltown Rd: 45 OldMilltown: 30

ADT = Average Daily Traffic

DHV = Design Hourly Volume

K [<sub>30/100/200</sub>]: K<sub>30</sub> = Interstate, K<sub>100</sub> = Rural, K<sub>200</sub> = Urban, % = ADT in DHV

D = % DHV in predominate direction of travel

T = Trucks

P = % ADT in peak hour

K<sub>8</sub> = % ADT occurring in the average of the 8 highest consecutive hours of traffic on an average day (required only if CO analysis is required).

1. Identify the agency that generated the data included in the Traffic Summary Matrix. Data generated from WisDOT Traffic Forecast Report
2. Identify the date (month/year) that the traffic forecast data included in the Traffic Summary Matrix was developed. March 2019
3. Identify the methodology and/or computer program(s) used to develop the data included in the Traffic Summary Matrix. The 2010/2045 Northeast Regional Travel Demand Model was used to complete the Traffic Forecast
4. If a metric other than Annual Average Daily Traffic (AADT) is used for describing traffic volumes such as Average Annual Weekday Traffic (AWDT), explain why a different metric was used and how it compares to AADT. AADT was used to describe traffic volumes.

**BASIC SHEET 5 - AGENCY AND TRIBAL COORDINATION**

Agency	Coordination Required?	Correspondence Attached?	Comments
<b>WisDOT</b>			
Regional Real Estate Section	<input type="checkbox"/> No	N/A	<p>Real estate acquisitions will be required. Appropriate coordination with property owners will be conducted. No inhabited houses or active businesses will be acquired. Evidence of coordination is not required when no inhabited houses or active businesses will be acquired.</p> <p>Three residences were previously located on the west side of Marley Street, south of Millwood Court, adjacent to the proposed Milltown roundabout. A preliminary design phase identified these properties as potential relocations. The three residences could not be safely connected to Marley Street near the roundabout without having to make substantial changes to the front lawns of the properties. Potential changes in travel patterns (headlights, increased traffic, truck noise) were additional negative impacts on these properties. Because the potential project did not have a construction date, WisDOT completed a hardship purchase of the properties in 2015 under the Wis. Stat. 84.295 Official Map process.</p>
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Bureau of Aeronautics	<input checked="" type="checkbox"/> No	N/A	Coordination is not required. The project is not located within 5 miles of a public or military use airport.
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Railroads and Harbors Section	<input checked="" type="checkbox"/> No	N/A	Coordination is not required because no railways or harbors are in or planned for the project area.
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>STATE AGENCY</b>			
Natural Resources (WDNR)	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p><b>December 20, 2010</b> – Information regarding the project was provided to WDNR.</p> <p><b>January 07, 2011</b> – Preliminary comments received from WDNR. A review of endangered resource information indicates that creek corridors in the surrounding area contain species, including rare species of plants, fish and turtles. There is potential habitat for the wood turtle (<i>Clemmys insculpta</i>) which is on Wisconsin's list of threatened species. Fencing and other appropriate mitigation will be required to protect the State listed species.</p> <p>General concerns expressed related to threatened species that may be impacted, wetland impacts at various locations, potential impacts to streams and habitats, cumulative impacts from storm water runoff, and determination of any floodplain impacts.</p> <p>WDNR was part of the WIS 29 Advisory Committee and regularly attended Advisory Committee meetings.</p> <p><b>June 16, 2016</b> – A project update letter was sent to WDNR.</p> <p><b>July 1, 2016</b> – WDNR responded to update letter, stating original review comments were all still valid.</p> <p><b>April 1, 2019</b> – A project update letter was sent to WDNR.</p> <p>WDNR correspondence is presented in Appendix 4.</p>
State Historic Preservation Office (SHPO)	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The Wisconsin State Historic Preservation Officer signed the project's Section 106 form on June 20, 2019. The Oneida Nation's THPO signed the project's Section 106 form on May 20, 2019. The signed Section 106 Form is presented in Appendix 5.

**STATE AGENCY (continued)**

<p>Agriculture (DATCP)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><b>December 20, 2010</b> – Information regarding the project was provided to DATCP.</p> <p><b>January 10, 2011</b> – DATCP letter indicated that DATCP would prepare an Agricultural Impact Statement (AIS) for the proposed project after WisDOT determines the amount of property to be acquired from each farmland owner.</p> <p><b>December, 2014</b> – An Agricultural Impact Notice (AIN) was submitted to DATCP.</p> <p><b>February 4, 2014</b> – DATCP published an Agricultural Impact Statement (AIS) for the proposed action.</p> <p><b>March, 2019</b> – DATCP was notified that project design modifications would potentially alter the amount and location of identified agricultural property impacts. DATCP response indicated that DATCP would consider writing an addendum to the project’s AIS if the amount of farmland that would be acquired has increased or if the project is affecting different farmland owners from the ones listed in the AIS. If the amount of farmland to be acquired has decreased, no further coordination with DATCP is necessary.</p> <p><b>June 24, 2019</b> – DATCP published an Agricultural Impact Statement (AIS) Addendum for the proposed action.</p> <p>DATCP correspondence is presented in Appendix 4.</p> <p>Ag Impact Information is presented in Appendix 6.</p>
<p>Other (Identify)</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	

FEDERAL AGENCY			
U.S. Army Corps of Engineers (USACE)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p><b>December 20, 2010</b> – Information regarding the project was provided to COE.</p> <p><b>January 03, 2011</b> – Written comments received from COE state that due to limited staff and resources, it is unlikely that U.S. Army Corps of Engineers Regulatory staff will review or comment on this project until they receive a permit application.</p> <p>Coordination between WisDOT and the Army Corps of Engineers (USACE) is ongoing.</p> <p>Application for a USACE permit will be submitted upon approval of the environmental document. Section 401(a) of the Clean Water Act prohibits discharges of dredged or fill material into waters of the United States, unless the work has been authorized by a Department of the Army permit under Section 404.</p> <p>COE correspondence is presented in Appendix 4.</p>
U.S. Fish and Wildlife Service (USFWS)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p><b>December 20, 2010</b> – Information regarding the project was provided to FWS.</p> <p><b>January 12, 2011</b> – FWS reviewed the proposed action and determined that no federally listed species, candidate species, or designated critical habitat occurs within the project area. Recommendations for potential wetland impacts include avoidance, minimization, and mitigation if impacts are necessary.</p> <p><b>March 2019</b> – Section 7 consultation was conducted with USFWS. An official species list for the project area was obtained using the USFWS Information for Planning and Consultation (IPaC) tool. The USFWS species list identifies the potential for threatened or endangered species in the general project area. No critical habitat is identified within the proposed project area.</p> <p>Adverse effects to threatened and endangered species are not anticipated. There are no anticipated impacts to fish or wildlife habitats.</p> <p>USFWS correspondence, Section 7 consultation materials, and the USFWS official species list are presented in Appendix 4.</p>
Natural Resources Conservation Service (NRCS)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p><b>December 20, 2010</b> – Initial information regarding the project was provided to NRCS.</p> <p><b>February 19, 2015</b> – Form AD-1006 was submitted to NRCS.</p> <p><b>April 9, 2015</b> – Form AD-1006 was returned by NRCS.</p> <p>(See Ag Impact Information in Appendix 6)</p>
U.S. National Park Service (NPS)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Coordination with NPS was not required for the project. There are no parks with the project area.
U.S. Coast Guard (USCG)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Coordination with USCG was not required. There are no commercial navigable waters along the project
U.S. Environmental Protection Agency (EPA)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>EPA Region 5 (Chicago office) was contacted via telephone on June 2, 2011. EPA provided guidance for impacts to the Oneida Nation's lands, which require a general stormwater permit separate from that issued by WDNR. In Wisconsin, EPA issues all National Pollutant Discharge Elimination System (NPDES) permits on tribal lands.</p> <p>Application for an EPA NPDES for storm Water Discharges will be submitted prior to construction.</p>
Advisory Council on Historic Preservation (ACHP)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Coordination with the ACHP is not required.
Other (Identify)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**SOVEREIGN NATIONS**

<p>American Indian Tribes</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>In accordance with WisDOT policy, all required American Indian Tribes were notified of the proposed project.</p> <p>All tribes were provided information regarding the project. Written response was received from one tribe; indicating no interest in the project.</p> <p>Appropriate coordination was conducted with the Oneida Nation. The Proposed Action is partly within the Oneida Reservation boundaries. The Oneida Nation were represented on the Stakeholder Advisory Committee, and four local officials meetings were held to date with tribal representatives.</p> <p><b>December 20, 2010</b> – Letter sent to 17 Native American Tribe/interests.</p> <p><b>November 29, 2010</b> – Oneida Nation Officials Meeting held by WisDOT to inform the Oneida Nation about the project. Access to tribal lands in the SE quad of the County U/WIS 29 intersection was discussed. This property is a former gas station on Oneida tribal land. The property is no longer an operating gas station so access to WIS 29 is not as critical as it once was. Access to this parcel will be off of County U.</p> <p><b>October 4, 2011</b> – WisDOT held an Oneida Land Conservation meeting to discuss potential impacts on tribal land.</p> <p><b>July 5, 2015</b> – A project update letter was sent to all required American Indian Tribes.</p> <p><b>July 22, 2016</b> – A project update letter was sent to all required American Indian Tribes.</p> <p><b>February 13, 2019</b> – Oneida Nation Officials Meeting held by WisDOT to inform the Oneida Nation about project updates. A concern of the Oneida Nation was the proposed North Overland Road alignment and the watershed impacts to the headwaters of Trout Creek.</p> <p><b>March 21, 2019</b> – A project update letter was sent to all required American Indian Tribes.</p> <p><b>April 10, 2019</b> – Meeting between WisDOT and the Oneida Nation Officials to discuss specific Oneida Nation concerns regarding potential watershed impacts to Trout Creek, and additional archeological and historic work that will be required for the project.</p> <p>Correspondence with American Indian Tribes is presented in Appendix 4.</p>
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**BASIC SHEET 6 - ALTERNATIVES COMPARISON MATRIX**

All estimates including costs are based on conditions described in this document at the time of preparation in the year of expenditure (YOE). Additional agency or public involvement may change these estimates in the future.

PROJECT PARAMETERS	Unit of Measure	Alternatives/Sections		
		No Build <sup>1</sup>	Alt 2	Alt 3 (Preferred)
Project Length	Miles	0	1.75 (WIS 29: County U – County VV interchange)	1.90 WIS 29 0.36 (County VV) 0.46 (Marley St) 0.80 (Milltown Rd) 0.27 (N. Country Line Rd) 0.42 (Centerline Dr Extension)
<b>PRELIMINARY COST ESTIMATE (YOE)</b>				
Construction (YOE 2021)	Million \$	0.01	18.0	22.0
Real Estate (YOE 2021)	Million \$	0	2.8	3.5
Hardship Right of Way and Housing Acquired in 2015 under Wis. Stat. 84.295	Million \$	0.93	0.93	0.93
Utilities (YOE 2021)	Million \$	0		1.0
<b>TOTAL</b>	Million \$	0.94	21.73	27.43
<b>LAND CONVERSIONS</b>				
Total Area Converted to ROW	Acres	0	68.78	57.1
Hardship Right of Way Acquired in 2015 under Wis. Stat. 84.295	Acres	0	2.91	2.91
<b>REAL ESTATE</b>				
Number of Farms Affected	Number	0	10	7
Total Area Required From Farm Operations	Acres	0	56.11	52.38
AIS Required		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Farmland Rating	Score	N/A	73	71
Total Buildings Required	Number	0	0	0
Housing Units Required	Number	0	0	0
Hardship Housing Units Acquired in 2015 under Wis. Stat. 84.295	Number	3	3	3
Commercial Units Required	Number	0	0	0
Other Buildings or Structures Required	Number & Type	0	-	0
<b>ENVIRONMENTAL FACTORS</b>				
Indirect Effects		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cumulative Effects		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Environmental Justice Populations		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
National Register Eligible Historic Structures in the Area of Potential Effect	Number	0	0	0
National Register Eligible Archeological Sites in the Area of Potential Effect	Number	0	0	0
Burial Site Protection ( <i>authorization required</i> )		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
106 MOA Required		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Section 4(f) Evaluation Required		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Section 6(f) Land Conversion Required		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Flood Plain		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Unique Upland Habitat Identified		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total Wetlands Filled	Acres	0	2.223	3.417
Stream Crossings	Number	0	3	1
Threatened/Endangered Species		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Noise Analysis Required		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Receptors Impacted	Number	0	0	0
Contaminated Sites	Number	0	8	8

<sup>1</sup> The estimated cost of routine maintenance through the design year should be included in the "Construction" box for the No Build alternative.

## **BASIC SHEET 7 - EIS SIGNIFICANCE CRITERIA**

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In determining whether a proposed action is a "major action significantly affecting the quality of the human environment," the proposed action must be assessed in light of the following criteria (1) if significant impact(s) will result, the preparation of an environmental impact statement (EIS) should commence immediately. Indicate whether the issue listed below is a concern for the proposed action or alternative and (2) if the issue is a concern, explain how it is to be addressed or where it is addressed in the environmental document.

1. Will the proposed action stimulate substantial indirect environmental effects?

- No  
 Yes – Explain or indicate where addressed.

2. Will the proposed action contribute to cumulative effects of repeated actions?

- No  
 Yes – Explain or indicate where addressed.

3. Will the creation of a new environmental effect result from this proposed action?

- No  
 Yes – Explain or indicate where addressed.

4. Will the proposed action impact geographically scarce resources?

- No  
 Yes – Explain or indicate where addressed.

5. Will the proposed action have a precedent-setting nature?

- No  
 Yes – Explain or indicate where addressed.

6. Is the degree of controversy associated with the proposed action high?

- No  
 Yes – Explain or indicate where addressed.

7. Will the proposed action be in conflict with official agency plans or local, state, tribal, or national policies, including conflicts resulting from potential effects of transportation on land use and transportation demand?

- No  
 Yes – Explain or indicate where addressed.

## BASIC SHEET 8 - ENVIRONMENTAL COMMITMENTS

Attach a copy of this page to the design study report and the PS&E submittal package.

Factor Sheet	Commitment (If none, include "No special provision or supplemental commitments required.")
A-1 General Economics	Access to businesses will be maintained during construction. The Construction Supervisor will assure fulfillment of the commitment.
A-2 Business	The Transportation Management Plan will be followed; access to businesses will be maintained during construction. The Construction Supervisor will assure fulfillment of the commitment.
A-3 Agriculture	<p>To address potential drainage problems that may occur as a result of the project, WisDOT will continue to coordinate design and construction plans with the Brown County land conservationist.</p> <p>The county land conservationist will also be consulted to ensure that construction proceeds in a manner that minimizes crop damage, soil compaction, and soil erosion on adjacent farmland.</p> <p>Landowners and operators will be given advanced notice of acquisition and construction schedules so that farm activities can be adjusted accordingly. To the extent feasible, the timing of acquisition and construction will be coordinated with the landowners and operators to minimize crop damage and disruption of farm operations.</p> <p>WisDOT will consult with landowners whose current and future access to farmland is affected. Where access is relocated or a new access point provided, WisDOT will consult with the affected landowner(s) to ensure that the new or altered access point is in a safe location for efficient farm use.</p> <p>Current farm operators will be allowed to continue farming land acquired for the proposed project until it is needed for construction as long as there is adequate time to complete the growing season and harvest the crops.</p> <p>The WisDOT Project Manager will fulfill these commitments.</p>
B-1 Community or Residential	The Transportation Management Plan will be followed; access to residences will be maintained during construction. Construction of individual driveways may require temporary closures. The Construction Supervisor will assure fulfillment of the commitment.
B-2 Indirect Effects	No commitments needed
B-3 Cumulative Effects	No commitments needed
B-4 Environmental Justice	No commitments needed
B-5 Historic Resources	No commitments needed
B-6 Archaeological Sites	No commitments needed
B-7 Tribal Coordination/Consultation	The WisDOT design engineer will continue coordination with the Oneida Nation during future project development phases.
B-8 Section 4(f) and 6(f) or Other Unique Areas	No commitments needed
B-9 Aesthetics	No commitments needed
C-1 Wetlands	Wetland fill will require compensatory mitigation pursuant to the WisDOT/WDNR cooperative agreement. Wetland mitigation ratios and a potential wetland mitigation site will be coordinated with WDNR and the ACOE and utilize the WisDOT Statewide wetland bank. The WisDOT Project Manager will fulfill this commitment.

Factor Sheet	Commitment (If none, include "No special provision or supplemental commitments required.")
C-2 Rivers, Streams and Floodplains	<p>The design engineer will design any structures crossing streams so that the flow line of the structure is 6-inches below the existing streambed. The WisDOT Project Manager will fulfill this commitment.</p> <p>Coordination will continue with the Oneida Nation regarding potential watershed impacts. Proposed mitigation strategies for Trout Creek watershed impacts will include routing drainage north of North Overland Road into a pond to control the flow of water into an existing agricultural ditch. Both ponds that will discharge water into the Trout Creek watershed will have thermal treatment to cool the pond water. The WisDOT Project Manager will fulfill this commitment.</p>
C-3 Lakes or other Open Water	Not applicable
C-4 Groundwater, Wells and Springs	Not applicable
C-5 Upland Wildlife and Habitat	No commitments needed
C-6 Coastal Zones	No commitments needed
C-7 Threatened and Endangered Species	<p>WDNR has indicated that a Migratory Bird Concentration Site is located close to the project location. The clearing of any wooded areas will be kept to a minimum to minimize impacts to trees used by birds to rest and perch.</p> <p>WDNR has indicated that there is potential habitat for the wood turtle (<i>Glyptemys insculpta</i>) which is on Wisconsin's list of threatened species. The need for any future field inventories or mitigation measures will be determined in a future engineering phase in consultation with WDNR. WDNR indicates impacts to turtles can be avoided by use of exclusion fencing to be erected between the streams and the construction zone prior to the beginning of their active period (March 15) of the construction year to discourage turtles from entering the work area. Fencing will also be needed for construction site erosion control. Location and timing of the fencing will be determined in future stages of design, when specific plans are being prepared. The silt fence is to be installed prior to construction activities and the area behind the silt fence is to be surveyed and any turtles confined within the project area removed prior to any site disturbance. The WisDOT Project Manager will be responsible for overseeing implementation.</p>
D-1 Air Quality	The project is exempt from permit requirements.
D-2 Construction Stage Sound Quality	<p>Check all that apply:</p> <p><input checked="" type="checkbox"/> WisDOT Standard Specification 107.8(6) and 108.7.1 will apply.</p> <p>The Construction Supervisor will assure fulfillment of the commitment.</p>
D-3 Traffic Noise	No commitments needed
D-4 Hazardous Substances or Contamination	<p>Standard Specifications should be included in the contract to address the potential for encountering unexpected residual hazardous materials during project construction.</p> <p>If unexpected contaminated soils are encountered during construction, they will be remediated.</p> <p>The Construction Supervisor will fulfill this commitment.</p>
D-5 Storm Water	<p>Storm water management will be implemented in accordance with standard storm water management practices and the WisDOT / WDNR Cooperative Agreement. Inlet protections will be required during construction. The Construction Supervisor will fulfill this commitment.</p>

<b>Factor Sheet</b>	<b>Commitment</b> (If none, include "No special provision or supplemental commitments required.")
D-6 Erosion Control	Erosion control will be implemented in accordance with standard erosion control practices and the WisDOT / WDNR Cooperative Agreement. An erosion control implementation plan for the project will be developed by the contractor and submitted to the WDNR office 14 days prior to the preconstruction conference. The Construction Supervisor will fulfill this commitment.
E- Demolition Material	All demolition material generated as a result of this project will be disposed of according to state law.
E- Invasive Species	WisDOT will work with WDNR to determine the best action to prevent the spread of invasive species within the project area.

**BASIC SHEET 9 - ENVIRONMENTAL FACTORS MATRIX**

Factors	Adverse	Benefit	None Identified	Factor Sheet Attached	Effects
<b>A. ECONOMIC FACTORS</b> <i>Factor Sheet A-1, General Economics, must be included if Factor Sheet A-2 or A-3 is completed.</i>					
A-1 General Economics	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Note: If the effect on the environmental factor can't be adequately summarized in several sentences, the Factor Sheet for the environmental factor must be included.</p> <p>The Proposed Action would:            Cause temporary traffic delay of services and access to local commerce during construction.            Accommodate current and planned economic growth for the area.            Assist in ensuring economic viability of the area by promoting safe and efficient travel through the project area.            Benefit commercial, industrial, and manufacturing establishments by ensuring safe access for employees and shipment of goods and services in the project area.</p>
A-2 Business	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Proposed Action would:            Assist in ensuring economic viability of the project area by promoting safe and efficient travel for local and regional traffic.            Benefit commercial and industrial establishments by increasing level of service, safety, and access for employees and shipment of goods and services in the project area.            Impact access to local businesses on a short-term basis during the construction of the improvements.            Cause temporary traffic delay of services and access to local commerce during construction.</p>
A-3 Agriculture	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>One of the primary land uses for properties adjacent to the proposed action is agricultural. The proposed action would improve safety and efficiency for agricultural operations that require moving equipment and personnel across WIS 29 and throughout the WIS 29 corridor.</p> <p>The primary impact to agricultural resources would be the loss of lands for farming operations due to the right-of-way needed for the proposed improvements.</p> <p>Based on preliminary design, the proposed action would require 52.38 acres of ROW and 5.40 acres of TLE for sloping from agricultural lands that are actively used for agricultural production. DATCP published an Ag Impact Statement (AIS) for the project on February 4, 2015, and an AIS Addendum on June 24, 2019. (See Ag Impact Statement and Addendum in Appendix 6).</p>
<b>B. SOCIAL/CULTURAL FACTORS</b>					
B-1 Community or Residential	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The Proposed Action would:            Improve safety and keep WIS 29 functional long into the future.            Benefit the project area by providing a safer and more efficient roadway.            Provide a safer link between Hobart and Howard, safely accommodating cars, bicyclists, and pedestrians.            Provide clearly defined access points to help guide local land use decisions.            Cause temporary traffic delay to local residents during construction.            Cause potential disruption in emergency vehicle access during construction.</p>

<b>B-2 Indirect Effects</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>In March 2007, an indirect and cumulative effects analysis was prepared in conjunction with the Corridor Preservation Plan. This analysis was evaluated and updated for the current proposed action. Possible indirect effects included growth induced by improved transportation links, conversion of farmland to other uses, and increase rates of impacts to water and wetland resources. These land use changes were anticipated in project area communities and noted in communities' comprehensive plans.</p> <p>Beneficial effects include increased ability to meet local objectives for economic development, particularly in the Centennial Centre development which will be served, in part, by the proposed action. See Factor Sheet B-1 Community or Residential Evaluation for more information. See Indirect and Cumulative Effects Memo in Appendix 7.</p>
<b>B-3 Cumulative Effects</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The project may contribute to cumulative effects in the same manner as indirect effects. Investments in transportation at the project location may lead to further investments over time as the area urbanizes. Over time, combined actions can result in conversion of cropland and upland habitat to more intense uses. These actions also contribute to increased economic opportunities for the study area. See Indirect and Cumulative Effects Memo in Appendix 7.</p>
<b>B-4 Environmental Justice</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Minority or low-income populations are present in the project corridor but would not be disproportionately affected by the project.</p> <p>This document is in compliance with U.S. DOT and FHWA policies to determine whether a proposed project will have induced socioeconomic impacts or any adverse impacts on minority or low income populations; and it meets the requirements of Executive Order on Environmental Justice 12898—"Federal Actions to Address Environmental Justice in Minority and Low-Income Populations." Neither minority nor low-income populations would receive disproportionately high or adverse impacts as a result of this project.</p> <p>A windshield survey was also conducted to verify that there were not additional impacts to minority or low-income populations that had not been apparent in other environmental screening and public involvement completed for the project.</p>
<i>For B-5 through B-8, if any of these resources are present on the project, involve the REC early because of possible project schedule implications.</i>					
<b>B-5 Historic Resources</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The Corridor Preservation Plan concluded that there were no historic resources within the project area that were potentially eligible for the National Register of Historic Places. The results of investigations on historic resources for the proposed action concur with the Corridor Preservation Plan.</p> <p>The Wisconsin State Historic Preservation Officer signed the project's Section 106 form on June 20, 2019. The signed Section 106 Form is presented in Appendix 5.</p>
<b>B-6 Archaeological/ Burial Sites</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The Corridor Preservation Plan concluded that there were no archeological sites within the project area that were potentially eligible for the National Register of Historic Places. The results of investigations on archaeological sites for the proposed action concur with the Corridor Preservation Plan.</p> <p>The Wisconsin State Historic Preservation Officer signed the project's Section 106 form on June 20, 2019. The signed Section 106 Form is presented in Appendix 5.</p>
<b>B-7 Tribal Coordination /Consultation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>In accordance with WisDOT policy, all required American Indian Tribes were notified of the proposed project.</p> <p>The project is located along the northern boundary of the Oneida Nation reservation. Consultation with the Oneida Nation is ongoing throughout the design development.</p> <p>No other tribal interests or issues were expressed in response to project notification.</p>

<b>B-8</b> Section 4(f) and 6(f) or Other Unique Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are no 4(f) or 6(f) resources in the project area.
<b>B-9</b> Aesthetics	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Corridor Preservation Plan noted that the resulting viewshed changes of an elevated structure over WIS 29 would adversely affect aesthetics of the project area; this effect was found to have no significant impact. Aesthetic treatments will be coordinated with local officials. Final decision on aesthetics will be determined after the final estimate for the project is complete.
<b>C. NATURAL RESOURCE FACTORS</b>					
<b>C-1</b> Wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	WisDOT and WDNR performed a joint wetland determination for the proposed action in April 2019. Based on preliminary design, approximately 3.417 acres of wetland (in the vicinity of the intersections of WIS 29/County U & WIS 29/County VV) would be impacted by the Proposed Action, see preliminary wetland impact displays in Appendix 8. Avoidance and minimization techniques, such as steeper embankment side slopes and the use of retaining walls, will be considered during the final design to avoid and minimize impacts to the wetlands and wetlands habitat. Wetland impacts will be avoided as much as possible while still addressing the need for efficient transportation systems without compromising the safety for the users of the roadway. Wetland mitigation and a potential wetland mitigation site will be coordinated with WDNR and the ACOE during final project design.
<b>C-2</b> Rivers, Streams and Floodplains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	An unnamed stream/drainage area to Trout Creek would be impacted by the Proposed Action by extending an existing culvert (see Project Plans in Appendix 3, and Waterway Location Map in Appendix 9). No impacts to the floodplain are anticipated as a result of the Proposed Action.
<b>C-3</b> Lakes or Other Open Water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No lake or other open water impacts.
<b>C-4</b> Groundwater, Wells, and Springs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No groundwater, wells, or springs impacts.
<b>C-5</b> Upland Wildlife and Habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The forested communities in the project area are not unique to any known endangered or threatened species but they do provide support for "life-cycle elements" for a number of species in the area. Coordination with WDNR has identified possible habitat for one State Threatened Species (Wood Turtle). WDNR suggested that impacts to wooded areas be avoided if possible or kept to an absolute minimum. Impacts caused by the Proposed Action would be minimized by measures such as steeper slopes and by reducing the width of the roadway and sidewalks WDNR has also identified recent records for a Migratory Bird Concentration Site close to the project area. The Department recommends that clearing of any wooded area be kept to a minimum to minimize impacts to the Migratory Bird Concentration Site as migratory birds will use the trees to rest and perch. Also, see discussion of State Threatened species in C-7.
<b>C-6</b> Coastal Zones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Brown County is located in a coastal zone. However, the proposed action does not affect a Special Coastal area and is therefore, consistent with the Coastal Zone Management Plan. The WDNR did not express any coastal zone issues with the project. No coastal zone impacts.

C-7 Threatened and Endangered Species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>WDNR has indicated that there is potential habitat for the wood turtle (<i>Glyptemys insculpta</i>) which is on Wisconsin's list of threatened species. The need for any future field inventories or mitigation measures will be determined in a future engineering phase in consultation with WDNR.</p> <p>In addition, enclosing the work area with tight fitting silt fence or turbidity barrier should exclude the turtles from the site and prevent nesting in exposed soils. Silt fence is proposed to be installed prior to March 15 of a given construction season and any turtles found onsite will be removed from the construction site prior to work.</p> <p>WDNR has also identified recent records for a Migratory Bird Concentration Site close to the project area. The Department recommends that clearing of any wooded area be kept to a minimum to minimize impacts to the Migratory Bird Concentration Site as migratory birds will use the trees to rest and perch.</p> <p>Section 7 consultation was conducted with USFWS. An official species list for the project area was obtained using the USFWS Information for Planning and Consultation (IPaC) tool. The USFWS species list identifies the potential for threatened or endangered species in the general project area. However, no critical habitat is identified within the proposed project area.</p> <p>Adverse effects to threatened and endangered species are not anticipated. There are no anticipated impacts to fish or wildlife habitats.</p>
<b>D. PHYSICAL FACTORS</b>					
D-1 Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is exempt from permit requirements. No substantial impacts to air quality are expected.
D-2 Construction Stage Sound Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	WisDOT Standard Specifications 1.7.8(6) and 108.7.1 will apply.
D-3 Traffic Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Federal Highway Administration's Traffic Noise Model (TNM) Version 2.5 was used to calculate the sound levels for the project corridor. Projected Design Hour Traffic Volumes provided by WisDOT NE Region Traffic Forecasting Section were used to model the existing and future traffic. Noise receptors were identified along the entire project corridor. Traffic noise analysis determined that noise abatement is not reasonable or feasible on this project. There are no impacted noise receptors on this project, therefore noise abatement is not warranted. The Traffic Noise Receptor Location Map is presented in Appendix 10.
D-4 Hazardous Substances or Contamination	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Based on the findings of the Phase I Hazardous Materials Assessment (HMA) for the project area, eight (8) sites with recognized environmental conditions were identified along the project corridor. No further investigation or remediation is recommended at any sites.</p> <p>Standard Specifications should be included in the contract to address the potential for encountering hazardous materials during project construction at identified sites.</p> <p>Contaminated soils encountered during construction will be remediated.</p>
D-5 Stormwater	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is a potential for storm water impacts during and after construction. Implementing storm water management measures will minimize potential adverse effects. Storm water management measures will conform to the requirements of Wisconsin Administrative Code - Chapter TRANS 401 and the WisDOT/WDNR Cooperative Agreement.</p> <p>Currently, flooding issues exist within the project area, particularly near the County VV interchange and Milltown Road re-alignment. Coordination with Village of Howard is ongoing to determine long term needs for stormwater and potential to develop a regional pond.</p> <p>A stormwater management plan is currently being prepared. The plan will include proven stormwater management strategies in accordance with TRANS 401.</p>
D-6 Erosion Control and Sediment Control	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The Corridor Preservation Plan stated that standard erosion control measures would be used to minimize any adverse effects to the surrounding areas and that the measures would be in compliance with the Wisconsin Administrative Code (Chapter TRANS 401) and the WisDOT/WDNR Cooperative Agreement</p> <p>In addition, an Erosion Control Implementation Plan (ECIP) will be developed by the contractor and submitted to WDNR 14 days prior to a preconstruction conference.</p>
<b>E. OTHER FACTORS</b>					
E-1 Utility Facilities (Overhead)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is likely that several overhead transmission lines would need to be relocated. Coordination with affected utilities is ongoing.
E-2 Fiber/Broadband Service (ITS)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The extension of fiber/broadband to the project area is part of a separate (but related) proposed project. The fiber/broadband extension would enable the extension of ITS technologies to the area, including installation of closed-circuit surveillance/traffic cameras and the potential for future digital message boards.

# GENERAL ECONOMICS EVALUATION

Wisconsin Department of Transportation

## Factor Sheet A-1

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

**1. Briefly describe the existing economic characteristics of the area around the project:**

Economic Activity	Description
a. Agriculture	The primary land use in the area is agricultural. Small agriculture operations are conducted in scattered farm fields. Over the past decade, Brown County has experienced rapid growth, which has contributed to a reduction in the amount of land devoted to agriculture.
b. Retail business	There are several small commercial/retail areas adjacent to the proposed action.  Three commercial properties exist on Milltown Rd, at/near the existing WIS 29/County VV intersection. These properties include the Maplewood Shell/Arby's Restaurant (gas station), Maplewood Meats (meat processing and retail store), and Village Auto (used car sales).
c. Wholesale business	None
d. Heavy industry	None
e. Light industry	A light industrial manufacturer, Sterling Machine Co., is located just east of the Milltown Rd/WIS 29 intersection. Two unknown industrial type businesses are located at the County U/Glendale Avenue intersection
f. Tourism	None
g. Recreation	None
h. Forestry	None
i. Office	None

Although the immediate project area is largely farmed at this point, a development that contains a dense mixture of commercial, industrial, and residential uses has been established south of the WIS 29/County VV intersection in the Village of Hobart. This development (known as Centennial Centre) has been gradually growing toward the WIS 29/County VV intersection for the last decade, and it is planned to reach the intersection once it is fully developed.

**2. Discuss the economic advantages and disadvantages of the proposed action and whether advantages would outweigh disadvantages. Indicate how the project would affect the characteristics described in item 1 above:**

*Advantages:* The proposed action would improve safety and convenience for motorized travel in the study area by eliminating dangerous turning and crossing movements at the intersections of WIS 29 with County U and with County VV. Access would be preserved at the County VV location, and delays during peak periods to enter the state highway are likely to be reduced. The proposed improvements would provide safe and efficient travel through the project area. The improvements would provide safer access to existing businesses, and provide safer local and regional transportation connections via WIS 29. Businesses that require freight movement in the project area, specifically existing light industry businesses on County U, would have full access to WIS 29 via the proposed WIS 29/County VV interchange, replacing the restricted access currently allowed at the WIS 29/County U intersection.

*Disadvantages:* Businesses and residents may be temporarily disadvantaged during construction due to delays, rerouting of roadway traffic, and temporary reduced access to the roadway during construction. The closing of the WIS 29/County U intersection may require business to re-route freight movements. This could inconvenience businesses using the County U intersection for freight movement; but the proposed action would provide full access to WIS 29 at a WIS 29/County VV interchange, a safer, more efficient, and possibly faster freight movement option.

The safety advantages of the proposed action would outweigh the potential disadvantages of rerouting traffic.

**3. What effect will the proposed action have on the potential for economic development in the project area?**

The proposed project will have no effect on economic development.

The proposed project will have an effect on economic development.

Increase, describe:

The Environmental Assessment for the WIS 29 Corridor Preservation Plan concluded that the planned improvements associated with the Proposed Action could increase economic development in the study area. The Indirect and Cumulative Effects update conducted for the proposed action confirms these conclusions.

The civil communities in the study area – the Villages of Hobart and Howard are experiencing sustained growth, with population growth between of 20-30% over the previous two decades. The proposed action would contribute to planned economic development in these communities by facilitating controlled access to and from the study area. The Villages of Howard and Hobart are both anticipating and planning for development in and around the study area and have incorporated the proposed action into this planning. Since the completion of the Corridor Environmental Assessment in 2008, a former agricultural area immediately east of the study area has been developed with medium-high density multifamily residential uses. The Centennial Centre planned development west of the project area has developed with business and residential uses. By controlling access to the state highway system, the proposed action would facilitate orderly development and redevelopment of land in the study area, providing a focused area for future commercial or higher density residential uses, while enabling the communities to maintain lower intensity land development and open space preservation in other areas of the WIS 29 corridor.

Decrease, describe:

# AGRICULTURE EVALUATION

Wisconsin Department of Transportation

## Factor Sheet A-3

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

**1. Total acquisition interest, by type of agricultural land use:** (see AIS and Addendum in Appendix 6)

Type of Land Acquired From Farm Operations	Type of Acquisition (acres)		Total Area Acquired (acres)
	Fee Simple	Easement	
Crop land and pasture	52.38	5.40	57.78
Woodland	0	0	0
Land of undetermined or other use (e.g., wetlands, yards, roads, etc.)	0	0	0
<b>Totals</b>	<b>52.38</b>	<b>5.40</b>	<b>57.78</b>

**2. Indicate number of farm operations from which land will be acquired:**

Acreage to be Acquired	Number of Farm Operations
Less than 1 acre	1
1 acre to 5 acres	1
More than 5 acres	5

**3. Is land to be converted to highway use covered by the Farmland Protection Policy Act?**

- No – See April 9, 2015 letter from NRCS, in Appendix 6.
  - The land was purchased prior to August 6, 1984 for the purpose of conversion.
  - The acquisition does not directly or indirectly convert farmland.
  - The land is clearly not farmland
  - The land is already in, or committed to urban use or water storage.
- Yes (This determination is made by the Natural Resources Conservation Service (NRCS) via the completion of the Farmland Impact Conversion Rating Form, NRCS Form AD-1006) see Appendix 7
  - The land is prime farmland which is not already committed to urban development or water storage.
  - The land is unique farmland.
  - The land is farmland which is of statewide or local importance as determined by the appropriate state or local government agency.

**4. Has the Farmland Impact Conversion Rating Form (AD-1006) been submitted to NRCS?**

- No - Explain.
- Yes (see Appendix 6)
  - The Site Assessment Criteria Score (Part VI of the form) is less than 60 points for this project alternative.  
Date Form AD-1006 completed. \_\_\_\_\_
  - The Site Assessment Criteria Score is 60 points or greater.  
Date Form AD-1006 completed: Form was submitted on **April 9, 2015**. Although the proposed action has undergone design changes, the Site Assessment Criteria Score on Form AD-1006 is an evaluation of the farmlands potentially taken, and would remain unchanged.

**5. Is an Agricultural Impact Statement (AIS) Required?**

- No
  - Eminent Domain will not be used for this acquisition
  - The project is a "Town Highway" project
  - The acquisition is less than 1 acre
  - The acquisition is 1-5 acres and DATCP chooses not to do an AIS.
  - Other. Describe \_\_\_\_\_
- Yes (see Appendix 6)
  - Eminent Domain may be used for this acquisition.
  - The project is not a "Town Highway" project
  - The acquisition is 1-5 acres and DATCP chooses to do an AIS.
  - The acquisition is greater than 5 acres

**6. Is an Agricultural Impact Notice (AIN) Required?**

- No, the project is not a State Trunk Highway Project - AIN not required but complete questions 7-16.
- Yes, the project is a State Trunk Highway Project - AIN may be required. (see Appendix 6)
  - Is the land acquired "non-significant"?
    - Yes - (All must be checked) An AIN is not required but complete questions 7-16.
      - Less than 1 acre in size
      - Results in no severances
      - Does not significantly alter or restrict access
      - Does not involve moving or demolishing any improvements necessary to the operation of the farm
      - Does not involve a high value crop
    - No
      - Acquisition 1 to 5 acres - **AIN required.** Complete Pages 1 and 2, Form DT1999, (Pages 1 and 2, Figure 1, Procedure 21-25-30.) (see Appendix 6)
      - Acquisition over 5 acres - **AIN required.** Complete Pages 1, 3 and 4, Form DT1999. (Pages 1, 3 and 4, Figure 1, Procedure 21-25-30) (see Appendix 6)

**If an AIN is completed, do not complete the following questions 7-16.**

**7. Identify and describe effects to farm operations because of land lost due to the project:**

- Does Not Apply.
- Applies – Discuss.

**8. Describe changes in access to farm operations caused by the proposed action:**

- Does Not Apply.
- Applies – Discuss.

**9. Indicate whether a farm operation will be severed because of the project and describe the severance (include area of original farm and size of any remnant parcels):**

- Does Not Apply.
- Applies – Discuss.

**10. Identify and describe effects generated by the acquisition or relocation of farm operation buildings, structures or improvements (e.g., barns, silos, stock watering ponds, irrigation wells, etc.). Address the location, type, condition and importance to the farm operation as appropriate:**

- Does Not Apply.
- Applies – Discuss.

**11. Describe effects caused by the elimination or relocation of a cattle/equipment pass or crossing. Attach plans, sketches, or other graphics as needed to clearly illustrate existing and proposed location of any cattle/equipment pass or crossing:**

- Does Not Apply.
- Replacement of an existing cattle/equipment pass or crossing is not planned. Explain.
- Cattle/equipment pass or crossing will be replaced.
- Replacement will occur at same location.
- Cattle/equipment pass or crossing will be relocated. Describe.

**12. Describe the effects generated by the obliteration of the old roadway:**

- Does Not Apply.
- Applies – Discuss.

**13. Identify and describe any proposed changes in land use or indirect development that will affect farm operations and are related to the development of this project:**

- Does Not Apply.
- Applies – Discuss.

**14. Describe any other project-related effects identified by a farm operator or owner that may be adverse, beneficial or controversial:**

- No effects indicated by farm operator or owner.
- Applies – Discuss.

**15. Indicate whether minority or low-income population farm owners, operators, or workers will be affected by the proposal: (Include migrant workers, if appropriate.)**

- No
- Applies – Discuss.

**16. Describe measures to minimize adverse effects or enhance benefits to agricultural operations:**

**COMMUNITY OR RESIDENTIAL EVALUATION**

**Factor Sheet B-1**

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

**1. Give a brief description of the community or neighborhood affected by the proposed action:**

<p><b>Name of Community/Neighborhood</b> The proposed action is located on WIS 29 at the County U and County VV intersections, approximately two miles from the western edge of the City of Green Bay. WIS 29 serves as the border between the <b>Village of Howard</b> and the <b>Village of Hobart</b>.</p> <p>Incorporated <input checked="" type="checkbox"/> Yes   <input type="checkbox"/> No</p>
<p><b>Village of Howard</b> Total population—19,634 White—91.8% of total population Black or African American—1.0% of total population American Indian and Alaska Native—1.2% of total population Asian—3.1% of total population Hispanic or Latino—4.1% of total population Age 65 and over—14.1% of total population According to U.S. Census Bureau data estimates for the year 2017, the median household income (average of 3 persons per household) for the Village of Howard is \$63,289. Median household income for the Village of Howard is substantially above the national poverty line guideline of \$21,330 for households with 3 persons (Department of Health and Human Services, Federal Register, January 2019).</p> <p><b>Village of Hobart</b> Total population—8,896 White—79.3% of total population Black or African American—0.0% of total population American Indian and Alaska Native—10.6% of total population Asian—4.0% of total population Hispanic or Latino of any Race—1.7% of total population Age 65 and over—12.5% of total population According to U.S. Census Bureau data estimates for the year 2017, the median household income (average of 3 persons per household) for the Village of Hobart is \$72,151. Median household income for the Village of Hobart is substantially above the national poverty line guideline of \$21,330 for households with 3 persons (Department of Health and Human Services, Federal Register, January 2019).</p>

**2. Identify and discuss existing modes of transportation and their importance within the community or Neighborhood:**

The project area's transportation system consists of local streets, county highways, Wisconsin State Highways, United State's Highways, Interstate Highways, and bicycle/pedestrian trails and walkways. The Austin Straubel International Airport is also located approximately 7 miles southeast of the project.

WIS 29 serves interstate and inter-regional trips and functions as the primary route across north central Wisconsin, linking Green Bay with I-94 and Minneapolis/St. Paul.

**3. Identify and discuss the probable changes resulting from the proposed action to the existing modes of transportation and their function within the community or neighborhood:**

The proposed action would improve safety and convenience for motorized travel in the study area by eliminating dangerous turning and crossing movements at the intersections of WIS 29 with County U and with County VV. Access would be preserved at the County VV location, and delays during peak periods to enter the state highway are likely to be reduced. Additionally, bicycle and pedestrian travel would be improved in the project area, particularly for crossing WIS 29.

**4. Briefly discuss the proposed action's direct and indirect effect(s) on existing and planned land use in the community or neighborhood:**

The proposed action may affect future development, and the proposed interchange location was developed with an understanding of planned land use change in the study area.

The proposed action would enhance the transportation system in the study area, leading to safer and more convenient travel; it has been designed to do so in the context of evolving land use in this growing area of Brown County, and would serve growing densities of residential and business uses. The proposed action has been modified and refined to accommodate planned changes in land use. A development that contains a dense mixture of commercial, industrial, and residential uses has been established south of the WIS 29/County VV intersection in the Village of Hobart. This development (known as Centennial Centre) has been gradually growing toward the WIS 29/County VV intersection for the last decade, and it is planned to reach the intersection once it is fully developed. A proposed roundabout at County VV/Triangle Drive, and a new roadway connection to North Overland Drive, are designed to complement Hobart's plans for land development in the area.

Indirect effects are possible, but likely to be limited in scale as the area is already partly developed and planned for future development.

**5. Address any changes to emergency or other public services during and after construction of the proposed project:**

The proposed action would require all traffic entering or exiting the project area from WIS 29 to use the proposed County VV interchange; access via the WIS 29/County U intersection would be removed.

WIS 29 is a main route to the Level II Trauma Center at St. Vincent Hospital in Green Bay, located approximately 10 miles east of the WIS 29 project area, and the Level II Trauma Center at the Aurora BayCare Medical Center in Green Bay, located approximately 20 miles east of the WIS 29 project area.

Emergency vehicles would have access through the project area, and to properties within the project area during and after construction. However, construction activities may have the potential to cause traffic delays that may lead to delayed emergency vehicle response times.

If necessary, WisDOT will coordinate with emergency responders, and officials at the Aurora BayCare Medical Center and St. Vincent Hospital to:

- Discuss the project, traffic control staging, and any necessary alternate routes to the hospital trauma center.
- Discuss an incident management process that may include press releases to local media and the Public Safety Communications Center of Brown County (County 911 Center), emergency pull-outs within the project limits, or message boards in advance of the project limits.
- Discuss the resulting changes in access, from the WIS 29/County U intersection to the proposed WIS 29/County VV interchange.

**6. Describe any physical or access changes that will result. This could include effects on lot frontages, side slopes or driveways (steeper or flatter), sidewalks, reduced terraces, tree removals, vision corners, etc.:**

The southern access for the property on the northwest quadrant of the County U and Glendale Avenue intersection would be relocated off of County U to Glendale Avenue.

Along County VV, south of WIS 29, an agricultural property would lose one access; however, the access may be relocated to the Centerline Drive Extension. A sidewalk would be incorporated along County VV on both sides of the roadway. Trees would be removed sporadically throughout this area.

Along Marley Street and Glendale Avenue, north of WIS 29, driveway slopes would remain mostly similar to existing. A sidewalk would be incorporated along Marley Street on both sides of the roadway.

Along Milltown Road, a sidewalk would be incorporated on both sides of the roadway. Some trees along the eastern limits would be removed.

**7. Indicate whether a community/neighborhood facility will be affected by the proposed action and indicate what effect(s) this will have on the community/neighborhood:**

No community / neighborhood facilities would be affected by the proposed action.

**8. Identify and discuss factors that residents have indicated to be important or controversial:**

Local businesses expressed concern about the realignment of Milltown Road due to how the new alignment would impact access to local businesses. Concern was expressed by the owner of the Shell Gas Station that the visibility of the station's pumps from WIS 29 may be impacted. Maplewood Meats voiced some concern that their parking would be impacted.

A new alternative alignment for Milltown Road (MT5) was formed after the response from the owner of the Shell Gas Station to attempt to address their concerns of visibility of their gas pumps. This new alignment was presented to landowners at the Property Owners meeting a month after the second Public Information Meeting. This alternative was brought before the Village of Howard Board but was not chosen as the preferred alternative.

The ultimate alignment for Milltown Road (revised MT4) revised the access point between Evergreen Avenue (Milltown Road) and Old Milltown Road, allowing access to the Shell Gas Station and Maplewood Meats to remain as is. This alignment for Milltown Road is also the preferred alternative of Maplewood Meats.

**9. List any Community Sensitive Design considerations, such as design considerations and potential mitigation measures.**

Community Sensitive Design considerations are being coordinated with the Villages of Howard and Hobart. Final inclusion of community sensitive design elements will be decided by the Villages during the final design phase, and will be determined by the overall project cost.

**10. Indicate the number and type of any residential buildings that will be acquired because of the proposed action.**

a.  None identified.

Three residences were previously located on the west side of Marley Street, south of Millwood Court, adjacent to the proposed Milltown roundabout. A preliminary design phase identified these properties as potential relocations. The three residences could not be safely connected to Marley Street near the roundabout without having to make substantial changes to the front lawns of the properties. Potential changes in travel patterns (headlights, increased traffic, truck noise) were additional negative impacts on these properties. Because the potential project did not have a construction date, WisDOT completed a hardship purchase of the properties in 2015 under the Wis. Stat. 84.295 Official Map process.

b.  No occupied residential building will be acquired as a result of this project. Provide number and description of non-occupied buildings to be acquired.

c.  Occupied residential building(s) will be acquired. Provide number and description of buildings, e.g., single family homes, apartment buildings, condominiums, duplexes, etc.

**11. Anticipated number of households that will be relocated from the occupied residential buildings identified in item 10c, above:**

Total Number of Households to be Relocated.
---

(Note that this number may be greater than the number shown in 10c) above because an occupied apartment building may have many households.)

a. Number by Ownership

Number of Households Living in Owner Occupied Building	Number of Households Living in Rented Quarters
--	--

b. Number of households to be relocated that have.

1 Bedroom	2 Bedroom	3 Bedroom	4 or More Bedrooms
-----------	-----------	-----------	--------------------

c. Number of relocated households by type and price range of dwelling.

Number of Single Family Dwelling.	Price Rang.
Number of Multi-Family Dwellings	Price Range
Number of Apartment	Price Range

**12. Describe the relocation potential in the community:**

a. Number of Available Dwellings

1 Bedroom	2 Bedrooms	3 Bedrooms	4 or More Bedrooms
-----------	------------	------------	--------------------

b. Number of Available and Comparable Dwellings by Location

--

c. Number of Available and Comparable Dwellings by Type and Price. (Include dwellings in price ranges comparable to those being dislocated, if any.)

Price Range	2 BR	3 BR	4 BR	5+ BR
\$ 0 - \$ 74,999				
\$ 75,000 - \$ 99,999				
\$100,000 - \$124,999				
\$125,000 - \$149,999				
\$150,000 - \$174,999				
\$175,000 - \$199,999				
\$200,000 - \$249,999				
\$250,000 - \$349,999				
\$350,000 - \$450,000				
<b>Total</b>				

**13. Identify all the sources of information used to obtain the data in item 12:**

- WisDOT Real Estate Conceptual Stage Relocation Plan     Multiple Listing Service (MLS)  
 Newspaper Listing(s)     Other – Identify

**14. Indicate the number of households to be relocated that have the following special characteristics:**

- None identified.  
 Yes

Special Characteristics	Number of Households with Individuals with Special Characteristics
Elderly	
Disabled	
Low income	
Minority	
Household of large family (5 or more)	
Not Known	
No special characteristics	

**15. Describe how relocation assistance will be provided in compliance with the WisDOT Relocation Manual or FHWA regulation 49 CFR Part 24:**

Residential acquisitions and relocations will be completed in accordance with the “Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended.” In addition to providing for payment of “Just Compensation” for property acquired, additional benefits are available to eligible displaced persons required to relocate from their residence. Some available benefits include relocation advisory services, reimbursement of moving expenses, replacement housing payments, and down payment assistance. In compliance with State law, no person would be displaced unless a comparable replacement dwelling would be provided. Federal law also requires that decent, safe, and sanitary replacement dwelling must be made available before any residential displacement can occur.

Compensation is available to all displaced persons without discrimination. Before initiating property acquisition activities, property owners would be contacted and given an explanation of the details of the acquisition process and Wisconsin’s Eminent Domain Law under Section 32.05, Wisconsin Statutes. Any property to be acquired would be inspected by one or more professional appraisers. The property owner would be invited to accompany the appraiser during the inspection to ensure the appraiser is informed of every aspect of the property. Property owners will be given the opportunity to obtain an appraisal by a qualified appraiser that will be considered by WisDOT in establishing just compensation. Based on the appraisal(s) made, the value of the property would be determined, and that amount offered to the owner.

Identify other relocation assistance requirements not identified above.

**16. Identify any difficulties or unusual conditions for relocating households displaced by the proposed action:**

None Identified

**17. Indicate whether Special Relocation Assistance Service will be needed. Describe any special services or housing programs needed to remedy identified difficulties or unusual conditions noted in item #14 above:**

- None identified  
 Yes - Describe services that will be required

**18. Describe any additional measures that will be used to minimize adverse effects or provide benefits to those relocated, those remaining, or to community facilities affected:**

Not Applicable

# ENVIRONMENTAL JUSTICE EVALUATION

Wisconsin Department of Transportation

## Factor Sheet B-4

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

1. **Identify and give a brief description of the populations covered under Executive Order 12898 (EO 12898). Include the relative size of the populations and their pertinent demographic characteristics: (Check all that apply.)**

Population Groups	Low Income	Elderly	Disabled
<input checked="" type="checkbox"/> Black (having origins in any of the black racial groups of Africa) Describe: 1% (Village of Howard) 0.1% (Village of Hobart)	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input checked="" type="checkbox"/> Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race) Describe: 4% (Village of Howard) 1.7% (Village of Hobart)	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input checked="" type="checkbox"/> Asian American (origins in any of the original peoples of the Far East, SE Asia, the Indian subcontinent, or the Pacific Islands) Describe: 4% (Village of Howard) 4% (Village of Hobart)	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input checked="" type="checkbox"/> American Indian and Alaska Native (having origins in any of the original people of North American and who maintains cultural identification through tribal affiliation or community recognition) Describe: 1% (Village of Howard) 11% (Village of Hobart)	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input type="checkbox"/> Non-minority low-income population Describe:		Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

The WIS 29 Corridor Preservation Plan Environmental Assessment noted that low income and elderly populations exist to some extent in all communities in the corridor. Low Income, Elderly, and Disabled populations are not identified above because available statistical data regarding these populations does not differentiate between minorities and non-minorities. Based on site visits, public involvement activities and the Green Bay Metropolitan Planning Organization Long Range Transportation Plan – which includes an environmental justice evaluation of the WIS 29 freeway conversion project – low income, elderly, and disabled populations do not appear to be present in higher proportions in minority populations than in non-minority populations.

2. **How was information on the proposed action communicated to populations covered by Executive Order 12898. Check all that apply:**

- |   |  |
|---|--|
| <input type="checkbox"/> Advertisements               | <input type="checkbox"/> Brochures                                     |
| <input checked="" type="checkbox"/> Newsletters       | <input type="checkbox"/> Notices                                       |
| <input type="checkbox"/> Utility Bill Inserts         | <input type="checkbox"/> E-mails                                       |
| <input type="checkbox"/> Public Service Announcements | <input type="checkbox"/> Direct Mailings                               |
| <input checked="" type="checkbox"/> Key Persons       | <input checked="" type="checkbox"/> Other, Public Information Meetings |

3. **How was input from populations covered by EO 12898 obtained? Check all that apply:**

- |   |   |
|---|---|
| <input type="checkbox"/> Mailed Surveys                       | <input checked="" type="checkbox"/> Targeted Small Group Information Meetings |
| <input type="checkbox"/> Door-to-door interviews              | <input type="checkbox"/> Targeted Workshop/conferences                        |
| <input type="checkbox"/> Focus Group Research                 | <input checked="" type="checkbox"/> Public Meetings                           |
| <input checked="" type="checkbox"/> Public Hearings (planned) | <input checked="" type="checkbox"/> Key Person Interviews                     |
| <input type="checkbox"/> Other, identify _____                |   |

**4. Indicate any special accommodations made to encourage participation from populations covered by EO 12898. Check all that apply:**

- Interpreters
- Accessibility for Elderly & Disabled
- Child Care Provided
- Other, children's activities provided at public meetings; interpreters and other assistance offered on request. Small group meetings were held with Oneida tribal representatives.
- Listening Aids
- Transportation Provided
- Sign Language

**5. If there is a project advisory committee, identify and describe committee members from populations covered by EO 12898**

- None identified
- Yes - Check all that apply and describe below:
  - Black
  - Hispanic
  - Asian-American
  - American Indian or Alaska Native
  - White and any combination of the above
  - Non-minority low-income
 Describe: \_\_\_\_\_

**6. As a result of public involvement and inter-agency coordination, identify and describe issues of concern or controversy to populations covered by EO 12898:**

**Economic Development and Business**

- No issues of concern or controversy identified.
- Yes - Issues of concern or controversy identified.

**Agriculture**

- No issues of concern or controversy identified.
- Yes - Issues of concern or controversy identified.
  1. List effects on agricultural operations owned by members of populations covered by EO 12898.
    - None identified.
    - Yes
 List and discuss - \_\_\_\_\_
  2. List effects on agricultural operations which employ members of populations covered by EO 12898, including migrant workers
    - None identified.
    - Yes
 List and discuss - \_\_\_\_\_
  3. List other effects on members of populations covered by EO 12898:
    - None identified.
    - Yes
 List and discuss - \_\_\_\_\_

**Community/Residential**

- No issues of concern or controversy identified.
- Yes - Issues of concern or controversy identified.
  - List and discuss - \_\_\_\_\_
  - 1. List relocation effects on households covered by EO 12898:
    - None identified.
    - Yes
 List and discuss - \_\_\_\_\_

Population Groups	Number of Households Relocated
Elderly	
Disabled	
Low income	
Minority	

2. List other effects on members of populations covered by EO 12898.

- None identified.  
 Yes

List and discuss - \_\_\_\_\_

**Other**

- No issues of concern or controversy identified.  
 Issues of concern or controversy identified.

List and discuss - \_\_\_\_\_

7. Indicate whether effects on populations covered by EO 12898 are beneficial or adverse:

A. **Beneficial effects.**

- Describe effects on populations and discuss whether they are direct, indirect or cumulative. Include a discussion of any measures to enhance beneficial effects. Describe methods used to determine beneficial effects resulting from the proposed project. (If only beneficial effects, process is complete.)

The beneficial effects of the proposed action would accrue to all populations using the transportation system in the study area. These effects include safer travel, more convenient access to and across the state highway system, enhanced movement of goods through and to the study area, and improved conditions for pedestrians and bicyclists.

B. **Adverse effect.**

1. Adverse Effects are proportional or disproportionately low. Identified adverse effects are proportionate or disproportionately low to those experienced by the general population.

Describe effects on populations and discuss whether they are direct, indirect or cumulative. Describe methods used to determine adverse effects resulting from the proposed project. Include a discussion of any measures to avoid, minimize, or mitigate adverse effects. (If only beneficial or proportional or disproportionately low effects, process is complete.)

Adverse effects would be experienced equally by all populations in the study area. Direct effects include noise and inconvenience during construction, the potential for increased traffic on the local roadway system, and the conversion of private property to public right-of-way. These effects were minimized by reducing the roadway width, creating small curve radii where possible, and through the completion of a construction staging plan designed to minimize inconvenience. Indirect effects include the potential for accelerated changes in land use in areas directly adjacent to the interchange. Insofar as these changes are foreseeable, the proposed action has been designed to accommodate local land use planning.

2. Adverse Effects are disproportionately high. A disproportionately high and adverse effect means an adverse effect that:
- a.) is predominately borne by populations covered by EO 12898; or
  - b.) will be suffered by populations covered by EO 12898 and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by population not covered by EO 12898.

Describe disproportionately high and adverse effects on populations covered by EO 12898 and discuss whether they are direct, indirect or cumulative. Describe methods used to determine adverse effects resulting from the proposed project. Include a discussion of any measures to avoid, minimize, or mitigate disproportionately high and adverse effects or enhance beneficial effects.

**8. Will the alternative be carried through final design even with disproportionately high and adverse effects on populations covered by EO 12898?**

Not applicable. Effects are not disproportionately high.

- A.  No, the alternative will not be carried out because of disproportionately high and adverse effects on populations covered by EO 12898.
  - 1.  Another alternative with less severe effects on populations covered by EO 12898 can meet the purpose and need of the proposed alternative and is practicable.
  - 2.  Other.  
Describe. \_\_\_\_\_
- B.  Yes, the alternative will be carried out with the mitigation of disproportionately high and adverse effects on populations covered by EO 12898.
  - 1.  All disproportionate effects will be mitigated by the following measures.  
List and discuss measures:
  - 2.  The alternative will be carried through final design without fully mitigating disproportionately high and adverse effects. A substantial need for the alternative exists based on the overall public interest. Alternatives that would have less adverse effects on populations covered by EO 12898 have either:
    - a)  Adverse social, economic, environmental, or human health impacts that are more severe.
    - b)  Would involve increased costs of an extraordinary magnitude.

**TRIBAL ISSUES**

**Factor Sheet B-7**

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

**1. Summary of Coordination with American Indian Tribes for Cultural Issues (Attach response letters):**

American Indian Tribe	Initial Coordination Date	Project Update Coordination Dates	Response Received		Phase I Arch. Report Sent	Phase II Arch. Report Sent	D for C Sent	MOA Sent	Human Remains	Trad. Cultural Properties	Acq. of Tribal Lands
			Yes	No							
Bad River Band of Lake Superior Chippewa Indians of Wis.	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Forest County Potawatomi Community of Wisconsin	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Ho-Chunk Nation	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Iowa Tribe of Oklahoma	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Lac Courte Oreilles Band of Lake Superior Chippewa Indians	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Lac du Flambeau Band of Lake Superior Chippewa Indians of Wis.	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Menominee Indian Tribe of Wisconsin	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Prairie Island Indian Community. Minnesota Mdewakanton Sioux,	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Prairie Band Potawatomi Nation	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Stockbridge-Munsee Community Band of Mohican Indians	12/20/2010	7/9/2015 7/22/2016 3/21/2019	x							No	No
Oneida Nation of WI	12/20/2010	7/9/2015 7/22/2016 3/21/2019	x							No	No
Red Cliff Band of Lake Superior Chippewa Indians	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Sac & Fox of the Mississippi in Iowa	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							

American Indian Tribe	Initial Coordination Date	Project Update Coordination Dates	Response Received		Phase I Arch. Report Sent	Phase II Arch. Report Sent	D for C Sent	MOA Sent	Human Remains	Trad. Cultural Properties	Acq. of Tribal Lands
			Yes	No							
Sac & Fox Nation of Missouri in Kansas and Nebraska	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Sac & Fox Nation of Oklahoma	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
St. Croix Band of Lake Superior Chippewa Indians	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							
Sokaogon (Mole Lake) Band of Chippewa Indians	12/20/2010	7/9/2015 7/22/2016 3/21/2019		x							

**Tribes may have additional concerns, rules and requirements related to non-cultural resource issues. These should be documented on the Environmental Justice Factor Sheet (Factor Sheet B-4) and other appropriate factor sheets (e.g. Stormwater, Historic Resources, Archaeological Sites Sheets).**

**2. Summary of Issues Identified by Tribes:**

The Oneida Nation expressed concerns about watershed impacts to the headwaters of Trout Creek, from the proposed North Overland Road connection. Individual meetings were held with the Oneida Nation on the following dates to discuss specified Oneida Nation concerns.

- November 29, 2010
- October 4, 2011
- February 13, 2019
- April 10, 2019
- April 17, 2019
- May 8, 2019

Coordination will continue with the Oneida Nation throughout the project, to discuss specific concerns that could impact tribal land stemming from potential watershed impacts and impacts to Trout Creek.

**3. Archaeological and Historic Structure/Buildings Issues:**

Historic Structure/Building Issues:

- No
- Yes Complete Factor Sheet B-5 – Historic Resources Evaluation.

Archaeological Issues:

- No
- Yes Complete Factor Sheet B-6 – Archaeological Sites Evaluation.

**4. Human Remains:**

Have American Indian remains/burials been reported or encountered during archaeological studies?

- No
- Yes

Consultation dates:

- American Indian Tribe: \_\_\_\_\_
- SHPO: \_\_\_\_\_
- Burial Sites Office: \_\_\_\_\_

Area avoided.

Burials will not be affected.

Burials left in place.

Burials will be affected:

Permission to re-inter from Wisconsin Historical Society Director (date) \_\_\_\_\_

MOA prepared?

- No
- Yes

Signatories to MOA and dates:

- FHWA: \_\_\_\_\_
- American Indian Tribe: \_\_\_\_\_
- WisDOT: \_\_\_\_\_
- ACHP: \_\_\_\_\_
- Other \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

Commitments to be included in contract specifications:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

All documentation attached:

Project may proceed.

**5. Traditional Cultural Property (TCP):**

Is a TCP present within the Area of Potential Effect of the project?

- No
- Yes:

Tribal Affiliation:

\_\_\_\_\_

Type of Property:

- Sacred Place
- Cemetery
- Gathering place
- Place or resource that is significant in tribal traditions

Is there an effect on a TCP?

- No Explain
- Yes:

Steps to avoid impact to the TCP

\_\_\_\_\_  
\_\_\_\_\_

**6. Will lands owned by American Indian tribes be acquired for this project?**

- No
- Yes:

Are the lands held in trust for the tribe by the US government?

- No
- Yes, explain.

**WETLANDS EVALUATION**

Wisconsin Department of Transportation

**Factor Sheet C-1**

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

**WisDOT and WDNR performed a joint wetland determination for the proposed action in April 2019. Based on preliminary design, approximately 3.417 acres of wetland (in the vicinity of the intersections of WIS 29/County U & WIS 29/County VV) would be impacted by the Proposed Action**

**1. Describe Wetlands:** (See Wetland Impact Maps in Appendix 8)

	Wetland 1		Wetland 2		Wetland 3	
<b>Name (If known)</b>	<i>Wetland 1</i>		<i>Wetland 2</i>		<i>Wetland 3</i>	
<b>Location County</b>	Brown		Brown		Brown	
<b>Location (Section-Township-Range)</b>	Sec 4, T24, R19 East		Sec 4, T24, R19 East		Sec 4, T24, R19 East	
<b>Location Map</b>	See Appendix 8		See Appendix 8		See Appendix 8	
<b>Wetland Type(s)<sup>1</sup></b>	WS		M(D)		M(D)	
<b>Total Wetland Loss</b>	0.033 Acres		0.224 Acres		0.193 Acres	
<b>Wetland is: (Check all that apply)<sup>2</sup></b>	Yes	No	Yes	No	Yes	No
<ul style="list-style-type: none"> <li>Isolated from stream, lake or other surface water body</li> </ul>	X		X		X	
<ul style="list-style-type: none"> <li>Not contiguous (in contact with) a stream, lake, or other water body, but within 5-year floodplain</li> </ul>	X		X		X	
<ul style="list-style-type: none"> <li>If adjacent or contiguous, identify stream, lake or water body by Section-Township-Range</li> </ul>						

<sup>1</sup>Use wetland types as specified in the "WisDOT Wetland Mitigation Banking Technical Guideline, Table 3-C"

<sup>2</sup>If wetland is contiguous to a stream, complete Factor Sheet C-2, Rivers, Streams and Floodplains Impact Evaluation. If wetland is contiguous to a lake or other water body, complete Factor Sheet C-3, Lake or Water Body Impact Evaluation.

	<b>Wetland 4</b>		<b>Wetland 5</b>		<b>Wetland 7</b>	
<b>Name (If known)</b>	<i>Wetland 4</i>		<i>Wetland 5</i>		<i>Wetland 7</i>	
<b>Location County</b>	Brown		Brown		Brown	
<b>Location (Section-Township-Range)</b>	Sec 4, T24, R19 East		Sec 4, T24, R19 East		Sec 4, T24, R19 East	
<b>Location Map</b>	See Appendix 8		See Appendix 8		See Appendix 8	
<b>Wetland Type(s)<sup>1</sup></b>	M(D)		M(D)		M	
<b>Total Wetland Loss</b>	0.006 Acres		0.032 Acres		0.022 Acres	
<b>Wetland is: (Check all that apply)<sup>2</sup></b>	Yes	No	Yes	Yes	Yes	No
• Isolated from stream, lake or other surface water body	X		X	X	X	
• Not contiguous (in contact with) a stream, lake, or other water body, but within 5-year floodplain	X		X	X	X	
• If adjacent or contiguous, identify stream, lake or water body by Section-Township-Range						

<sup>1</sup>Use wetland types as specified in the "WisDOT Wetland Mitigation Banking Technical Guideline, Table 3-C"

<sup>2</sup>If wetland is contiguous to a stream, complete Factor Sheet C-2, Rivers, Streams and Floodplains Impact Evaluation. If wetland is contiguous to a lake or other water body, complete Factor Sheet C-3, Lake or Water Body Impact Evaluation.

	<b>Wetland 8</b>		<b>Wetland 9</b>		<b>Wetland 10</b>	
<b>Name (If known)</b>	<i>Wetland 8</i>		<i>Wetland 9</i>		<i>Wetland 10</i>	
<b>Location County</b>	Brown		Brown		Brown	
<b>Location (Section-Township-Range)</b>	Sec 4, T24, R19 East		Sec 4, T24, R19 East		Sec 4, T24, R19 East	
<b>Location Map</b>	See Appendix 8		See Appendix 8		See Appendix 8	
<b>Wetland Type(s)<sup>1</sup></b>	M		M(D)		M(D)	
<b>Total Wetland Loss</b>	0.016 Acres		2.324 Acres		0.237 Acres	
<b>Wetland is: (Check all that apply)<sup>2</sup></b>	Yes	No	Yes	No	Yes	No
• Isolated from stream, lake or other surface water body	X		X		X	
• Not contiguous (in contact with) a stream, lake, or other water body, but within 5-year floodplain	X		X		X	
• If adjacent or contiguous, identify stream, lake or water body by Section-Township-Range						

<sup>1</sup>Use wetland types as specified in the "WisDOT Wetland Mitigation Banking Technical Guideline, Table 3-C"

<sup>2</sup>If wetland is contiguous to a stream, complete Factor Sheet C-2, Rivers, Streams and Floodplains Impact Evaluation. If wetland is contiguous to a lake or other water body, complete Factor Sheet C-3, Lake or Water Body Impact Evaluation.

	<b>Wetland 11</b>		<b>Wetland 12</b>	
<b>Name (If known)</b>	<i>Wetland 11</i>		<i>Wetland 12</i>	
<b>Location County</b>	Brown		Brown	
<b>Location (Section-Township-Range)</b>	Sec 3, T24, R19 East		Sec 3, T24, R19 East	
<b>Location Map</b>	See Appendix 8		See Appendix 8	
<b>Wetland Type(s)<sup>1</sup></b>	M(D)		M(D)	
<b>Total Wetland Loss</b>	0.311 Acres		0.019 Acres	
<b>Wetland is: (Check all that apply)<sup>2</sup></b>	Yes	No	Yes	No
<ul style="list-style-type: none"> <li>Isolated from stream, lake or other surface water body</li> </ul>	X		X	
<ul style="list-style-type: none"> <li>Not contiguous (in contact with) a stream, lake, or other water body, but within 5-year floodplain</li> </ul>	X		X	
<ul style="list-style-type: none"> <li>If adjacent or contiguous, identify stream, lake or water body by Section-Township-Range</li> </ul>				
<sup>1</sup> Use wetland types as specified in the "WisDOT Wetland Mitigation Banking Technical Guideline, Table 3-C" <sup>2</sup> If wetland is contiguous to a stream, complete Factor Sheet C-2, Rivers, Streams and Floodplains Impact Evaluation. If wetland is contiguous to a lake or other water body, complete Factor Sheet C-3, Lake or Water Body Impact Evaluation.				

**2. Are any impacted wetlands considered "wetlands of special status" per WisDOT Wetland Mitigation Banking Technical Guideline, page 10?**

- No  
 Yes:
- Advanced Identification Program (ADID) Wetlands  
 Other – Describe: The project area includes riparian forested wetlands as identified by the US Fish and Wildlife Service. Additionally, affected wetlands provide habitat for the state threatened wood turtle.

**3. Describe proposed work in the wetland(s), e.g., excavation, fill, marsh disposal, other:**

The proposed improvements would impact a total of approximately 3.417 acres of wetland from a total of 11 wetland locations. Affected wetlands are located along Old Hwy 29/County U and at the proposed WIS 29/County VV interchange (see Wetland Impact Maps in Appendix 8). Affected wetland types include 0.033 acres of Wooded Swamp (WS), 0.038 acres of Wet Meadow (M), and 3.346 acres of Degraded Meadow (M(D)). Proposed work in wetland areas would consist of filling existing wetlands and constructing ditches within wetlands to accommodate roadway reconstruction.

**4. List any observed or expected waterfowl and wildlife inhabiting or dependent upon the wetland: (List should include both permanent, migratory and seasonal residents).**

Waterfowl and wildlife species potentially occurring in project wetlands are typical of the area. They include heron and duck species, song bird species, small mammals such as mice and voles, raccoons, rabbits, white-tailed deer, reptiles and amphibians.

**5. Federal Highway Administration (FHWA) Wetland Policy:**

- Not Applicable - Explain  
 Individual Wetland Finding Required - Summarize why there are no practicable alternatives to the use of the wetland.  
 Statewide Wetland Finding: **NOTE: All three boxes below must be checked for the Statewide Wetland Finding to apply.**  
 Project is either a bridge replacement or other reconstruction within 0.3 mile of the existing location.  
 The project requires the use of 7.4 acres or less of wetlands.  
 The project has been coordinated with the WDNR and there have been no significant concerns expressed over the proposed use of the wetlands.

**6. Erosion control or storm water management practices which will be used to protect the wetland are indicated on form: (Check all that apply)**

- Factor Sheet D-6, Erosion Control Impact Evaluation.
- Factor Sheet D-5, Stormwater Impact Evaluation.
- Neither Factor Sheet - Briefly describe measures to be used

**7. U S Army Corps of Engineers (USACE) Jurisdiction - Section 404 Permit (Clean Water Act)**

- Not Applicable - No fill to be placed in wetlands or wetlands are not under USACE jurisdiction.
- Applicable - Fill will be placed in wetlands under the jurisdiction of the USACE.

Indicate area of wetlands filled: **3.417 Acres**

Type of 404 permit anticipated:

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

Indicate which GP or LOP is required:

- Non-Reporting GP
- Provisional GP
- Provisional LOP
- Programmatic GP

Expiration date of 404 Permit, if known \_\_\_\_\_

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

- No Section 10 Waters.

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

- Not applicable.
- Required: Submitted on: (Date)

Status of PCN

USACE has made the following determination on: (Date)

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

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

**A. Wetland Avoidance:**

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

Several alignment alternatives were evaluated throughout the design process in an attempt to minimize wetland disturbance. Due to the scattered location of wetlands in the highway corridor, proximity of wetlands to the proposed improvements and highway mainline, and scope of proposed improvements, it is not possible to completely avoid wetland impacts. A lower level of improvement would not address project purpose and need.

The preferred alignment on Milltown Road was modified to avoid approximately 2.5 wetland acres.

The preferred alignment on Old 29 Road was modified and incorporated tighter curves to avoid approximately 0.5 wetland acres.

**2. Indicate the total area of wetlands avoided:**

Acres: Approximately 2-3 acres

**B. Minimize the amount of wetlands affected:**

**1. Describe methods used to minimize the use of wetlands, such as a steepening of side slopes or use of retaining walls, equalizer pipes, upland disposal of hydric soils, etc.:**

Side slopes were steepened from 4:1 to 3:1 outside of the clear zone for fill sections greater than 15' in height.

**2. Indicate the total area of wetlands saved through minimization:**

Acres: approximately 0.5 acres

**10. Compensation for Unavoidable Wetland Loss:**

According to Section 401 (b) (1), of the Clean Water Act, unavoidable wetland losses must be mitigated on-site, if possible. If no on-site opportunities exist, near/off-site wetland compensation sites must be considered. If neither exists, the losses may be debited to an existing wetland mitigation bank site. Compensation ratios are based on WisDOT Wetland Mitigation Banking Technical Guideline. (see Wetland Impact Maps and preliminary WisDOT Wetland Tracking Form in Appendix 8)

Wetland mitigation, compensation, and a potential wetland mitigation site will be coordinated with WDNR and the ACOE during final project design.

	Type	Acre(s) Loss	Ratio	Compensation Type and Acreage			
				On-site	Near/off site	Consolidation Site	Bank site
RPF(N)	Riparian wetland (wooded)						
RPF(D)	Degraded riparian wetland (wooded)						
RPE(N)	Riparian wetland (emergent)						
RPE(D)	Degraded riparian wetland (emergent)						
M(N)	Wet and sedge meadows, wet prairie, vernal pools, fens	0.038					
M(D)	Degraded meadow	3.346					
SM	Shallow marsh						
DM	Deep marsh						
AB(N)	Aquatic bed						
AB(D)	Degraded aquatic bed						
SS	Shrub Swamp, shrub carr, alder thicket						
WS(N)	Wooded swamp	0.033					
WS(D)	Degraded wooded swamp						
Bog	Open and forested bogs						

D = Degraded  
N = Non-degraded

**11. If on-site compensation is proposed, describe how a search for a compensation site was conducted:**

Wetland mitigation, compensation, and a potential wetland mitigation site will be coordinated with WDNR and the ACOE during final project design.

**12. Summarize the coordination with other agencies regarding the compensation for unavoidable wetland losses: Attach appropriate correspondence:**

Wetland mitigation, compensation, and a potential wetland mitigation site will be coordinated with WDNR and the ACOE during final project design.

# RIVERS, STREAMS AND FLOODPLAINS EVALUATION

Wisconsin Department of Transportation

## Factor Sheet C-2

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

1. **Stream Name:** Unnamed Stream/Drainage (Tributary to Trout Creek)

2. **Stream Type: (Indicate Trout Stream Class, if known)**

- Unknown
- Warm water
- Cold water

If trout stream, identify trout stream classification: Not Classified as Trout Stream

Wild and Scenic River

3. **Size of Upstream Watershed Area: (Square miles or acres)**

The unnamed stream/drainage, and Trout Creek, are located within the Duck Creek Watershed that is 151.62 square miles in area.

4. **Stream flow characteristics:**

- Permanent Flow (year-round)
- Temporary Flow (dry part of year)

5. **Stream Characteristics:**

A. Substrate:

- 1.  Sand
- 2.  Silt
- 3.  Clay
- 4.  Cobbles
- 5.  Other-describe:

B. Average Water Depth: dry

C. Vegetation in Stream

- Absent
- Present - If known describe:
- Unknown

D. Identify Aquatic Species Present:  
unknown

E. If water quality data is available, include this information: No water quality data available.

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

- No
- Yes - List: \_\_\_\_\_

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

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

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

- Not Applicable
- Yes
- No - Describe mitigation measures:

**8. Describe land adjacent to stream:**

Typical riparian plant species include ferns, horsetail, jewelweed, woodland sunflower, ash, elm, birch, boxelder and poplar.

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

Discharge into the unnamed creek is generally from overland flow. There are no identifiable dischargers or receivers within 1/2 mile (0.8 kilometers) of the project site.

**10. Describe proposed work in, over, or adjacent to stream. Indicate whether the work is within the 100-year floodplain and whether it is a crossing or a longitudinal encroachment: [Note: Coast Guard must be notified when Section 10 waters are affected by a proposal. Also see Wetland Evaluation, Factor Sheet C-1, Question 8.]**

The Proposed Action includes the extension of a culvert beneath County VV/Triangle Drive. Proposed mitigation strategies for Trout Creek watershed impacts would include routing drainage north of North Overland Road into a pond to control the flow of water into an existing agricultural ditch. Ponds that would discharge water into the Trout Creek watershed would have thermal treatment to cool the pond water.

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

No impacts to the floodplain are anticipated as a result of the Proposed Action; there is no flood plain near the project area. The proposed action would be consistent with Wisconsin Administrative Code – Chapter NR 116, the National Flood Insurance Program.

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

No impacts to the floodplain are anticipated as a result of the Proposed Action; there is no flood plain near the project area.

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

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

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

No impacts to the floodplain are anticipated as a result of the Proposed Action; there is no flood plain near the project area.

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

No impacts to the floodplain are anticipated as a result of the Proposed Action; there is no flood plain near the project area.

**16. Are measures proposed to enhance beneficial effects?**

- No
- Yes. Describe: \_\_\_\_\_

# UPLAND WILDLIFE AND HABITAT EVALUATION

Wisconsin Department of Transportation

## Factor Sheet C-5

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

### 1. Proposed Work in Upland Areas:

#### A. Describe the nature of proposed work in the upland habitat area (e.g., grading, clearing, grubbing, etc.):

The proposed action may require clearing and grubbing of trees, bushes and brush in the project area, and subsequent grading for the permanent conversion of small upland areas to highway facilities and right-of-way. The separated grade interchange would need substantial fill to raise the existing ground elevation to the required height for the structure approaches. Swales would be constructed along the roadway to create proper drainage facilities for runoff.

### 2. Vegetation/Habitat:

#### A. Give a brief description of the upland habitat area. Include prominent plant community(ies) at the project site (list vegetation with a brief description of each community type if more than one present).

The dominant upland habitat area around the project site is Broad-Leaved/Mixed Deciduous Forest. Broad-Leaved/Mixed Deciduous Forests may include tree species such as oak, maple, beech, hickory, chestnut, elm, walnut, basswood and sweetgum. This vegetation provides food, cover and travel corridors to numerous wildlife species. There are also smaller areas of grasslands, which contain grasses and herbaceous plant communities. They provide food, shelter and migration passages to many animal species. The rest of the area is mostly covered in agricultural (monocultural) plots that do not provide ideal conditions for plant and animal communities to inhabit.

#### B. Will the project result in changes in the vegetative cover of the roadside?

The project would result in changes of small portions of vegetative cover, primarily affecting small pockets of forested roadside areas adjacent to the WIS 29 freeway corridor. Many of the affected areas are agricultural areas that currently do not have substantial roadside vegetative cover.

### 3. Wildlife:

#### A. Identify and describe any observed or expected wildlife associations with the plant community(ies) listed in question #1:

There is a wide array of fauna that depend on these plant communities to provide habitat. These species include small mammals, common furbearers, wild turkey, deer, snakes, and many bird and insect species.

#### B. Identify and describe any known wildlife or bird use areas or movement corridors that will be severed or affected by the proposed action:

The Proposed Action would be located near an area defined as a Migratory Bird Connection Site by WDNR, and is therefore designated as an area of special concern. The construction is not anticipated to substantially impact the integrity of this use, as minimal deforestation will occur.

#### C. Discuss other direct impacts on wildlife and estimate significance:

Slower traffic speeds caused by the installation of roundabouts throughout the project area may lead to lower wildlife mortality rates. The elimination of roadside vegetation would be minimal, resulting in minor adverse impacts on wildlife habitat.

#### D. Identify and discuss any probable indirect impacts on wildlife in the area expected due to the project:

There would be very minimal to no further habitat fragmentation occurring in the upland areas, creating a low potential for negative effects on wildlife. Over the longer term, the Proposed Action may help facilitate further development in the area, due to proposed improvements to access at this location to the regional transportation system. The Villages of Hobart and Howard have accounted for this indirect effect in their future land use planning, but it could have the effect of contributing to the reduction of available habitat over a period of decades.

**E. Describe measures to avoid and/or minimize adverse effects or to enhance beneficial effects:**

The project site contains potential habitat for the wood turtle; construction activities would take place in this habitat. WDNR indicates impacts to turtles can be avoided by using exclusion fencing, to be erected between the streams and the construction zone prior to the beginning of their active period (March 15) of the construction year to discourage turtles from entering the work area.

To avoid impacts on Wood Turtle habitat during construction, the project would require turtle exclusion fencing in any identified potential turtle habitat. See Factor Sheet C-7: Threatened and Endangered Species Evaluation.

In addition, fill and borrow sites would be selected in accordance with WisDOT standard specifications. Contaminated or hazardous materials found in any excavated material within the project limits would not be allowed as fill material and would be removed as appropriate.

# THREATENED AND ENDANGERED SPECIES EVALUATION

Wisconsin Department of Transportation

## Factor Sheet C-7

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

### Federal Resources

1. Complete the following table using the Official Species List from U.S. Fish and Wildlife Service (FWS):

Species Common Name	Species Scientific Name	Federal Status	Effect Determination	Justification/ Explanation
<b>Plants</b>				
Dwarf Lake Iris	Iris lacustris	Threatened	No Effect	
<b>Animals</b>				
Wood Turtle	Glyptemys insculpta		No Effect	
Red Knot	Calidris canutus rufa	Threatened	No Effect	
Northern Long-Eared Bat	Myotis septentrionalis	Threatened	May Effect	May effect, but will not result in a prohibited take
<b>Other</b>				

**Date of Official Species List: 3/13/2019**

Document all species identified on Official Species List, including proposed species.

2. Is there designated or proposed critical habitat in the vicinity of the project?

No

Yes – Describe critical habitat, proximity to project, and potential impacts to the critical habitat:

3. Has Section 7 consultation with FWS been completed?

No – Explain:

Yes – Describe consultation efforts and conclusions: Section 7 consultation was conducted with USFWS. An official species list for the project area was obtained using the USFWS Information for Planning and Consultation (IPaC) tool. The USFWS species list identifies the potential for threatened or endangered species in the general project area. However, the list states there are no suitable habitat areas within the proposed project area. Adverse effects to threatened and endangered species are not anticipated.

4. Are avoidance, minimization or compensatory mitigation measures required?

No

#### Northern Long-Eared Bat

Activity would not remove a known roost tree or any other tree within 150 feet of a known maternity roost tree from June 1 – July 31. Activity is not within 0.25 miles of known hibernacula.

Yes – Include commitments on Basic Sheet 9, Environmental Commitments:

## State Resources

### 1. Are threatened or endangered species known to occur in the vicinity of the project?

Species Common Name	Species Scientific Name	State Status	Effect Determination	Justification/ Explanation
Wood Turtle	Glyptemys insculpta	Threatened	No Effect	Impacts to turtles can be avoided by using exclusion fencing

Date of Natural Heritage Inventory (NHI) database review: 3/13/2019

### 2. Has threatened and endangered resource coordination with WDNR been completed?

No – Explain:

Yes – Attach and reference location in this document: WDNR correspondence is presented in Appendix 4.

### 3. Are avoidance, minimization or compensatory mitigation measures required?

No

Yes – Describe. Include commitments on Basic Sheet 9, Environmental Commitments:

#### Wood Turtle

The project site contains potential habitat for the wood turtle; construction activities would take place in this habitat. WDNR indicates impacts to turtles can be avoided by exclusion fencing to be erected between the streams and the construction zone prior to the beginning of their active period (March 15) of the construction year to discourage turtles from entering the work area.

## Other Protected Resources

### Bald and Golden Eagles

#### 1. Are bald and/or golden eagles known to occur near the project?

None identified

Yes, describe:

#### 2. Will there be adverse or beneficial effects on bald and/or golden eagles as a result of the project?

No explain

Yes, describe general proximity to project and potential impacts:

#### 3. Has bald and golden eagle-related coordination with WDNR and/or FWS been completed?

No explain

Yes, Attach and reference location in this document: WDNR correspondence is presented in Appendix 4.

#### 4. Are avoidance, minimization or compensatory mitigation measures required?

No

Yes – Describe. Include commitments on Basic Sheet 9, Environmental Commitments:

### Migratory Birds

#### 1. Are migratory birds known to occur near the project?

None identified

Yes, describe:

#### 2. Will there be adverse or beneficial effects on migratory birds as a result of the project?

No explain

Yes, describe general proximity to project and potential impacts:

#### 3. Has migratory bird-related coordination with WDNR and/or FWS been completed?

No explain

Yes, Attach and reference location in this document: WDNR correspondence is presented in Appendix 4.

#### 4. Are avoidance, minimization or compensatory mitigation measures required?

No

Yes – Describe. Include commitments on Basic Sheet 9, Environmental Commitments:

# CONSTRUCTION STAGE SOUND QUALITY EVALUATION

Wisconsin Department of Transportation

## Factor Sheet D-2

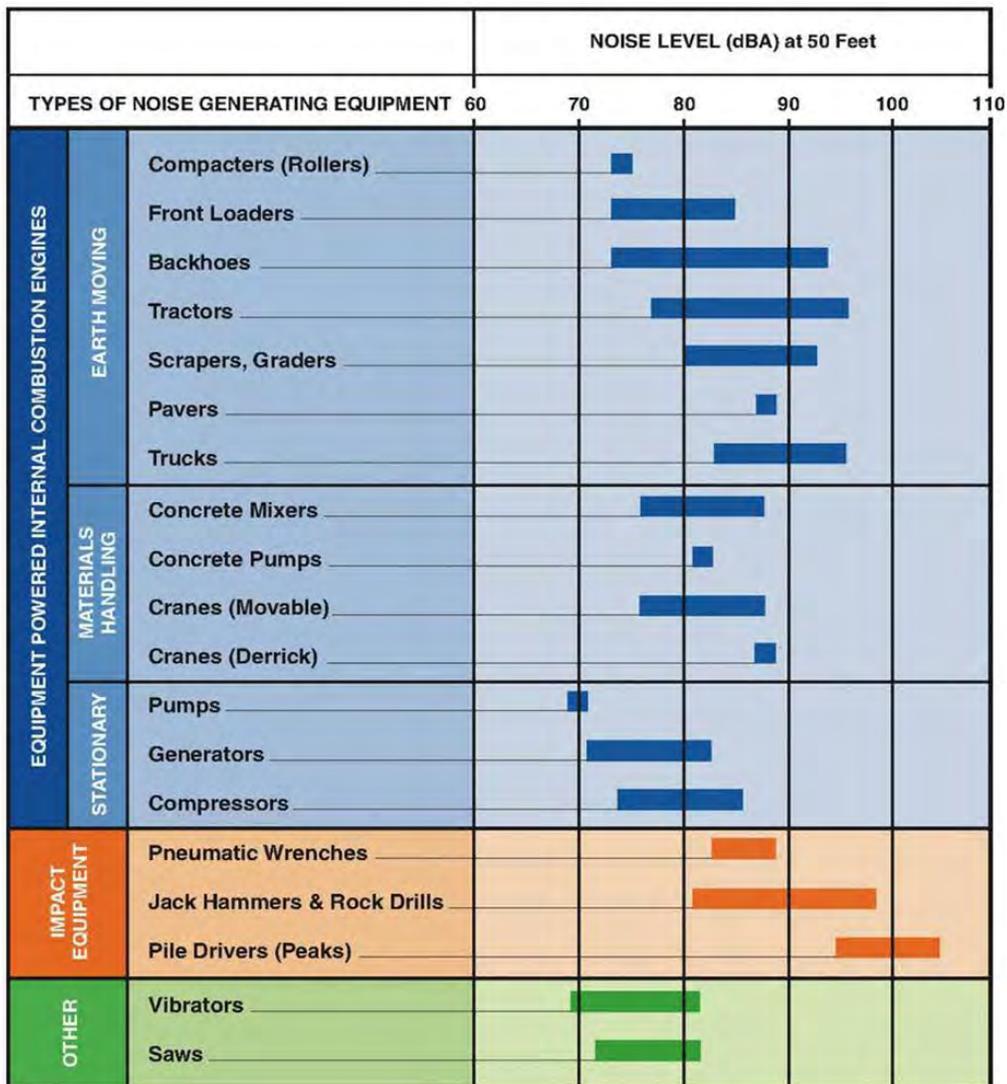
Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

**1. Identify and describe residences, schools, libraries, or other noise sensitive areas near the proposed action and which will be in use during construction of the proposed action. Include the number of persons potentially affected:**

The receptors along the project corridor that would be affected by construction noise consist of private residences and local businesses. These receptors would be directly affected by the project, while others who regularly use the roadway would be indirectly affected.

**2. Describe the types of construction equipment to be used on the project. Discuss the expected severity of noise levels including the frequency and duration of any anticipated high noise levels:**

The noise generated by construction equipment would vary greatly, depending on equipment type/model/make, duration of operation and specific type of work effort. However, typical noise levels may occur in the 67 to 107 dBA range at a distance of 50 feet. Adverse effects related to construction noise are anticipated to be of a localized, temporary, and transient nature. A list of typical noise levels for a variety of construction equipment is shown in the figure below.



**3. Describe the construction stage noise abatement measures to minimize identified adverse noise effects.**

**Check all that apply:**

- WisDOT Standard Specifications 107.8(6) and 108.7.1 will apply.
- WisDOT Standard Specifications 107.8(6) and 108.7.1 will apply with the exception that the hours of operation requiring the engineer's written approval for operations will be changed to \_\_\_\_\_ P.M. until \_\_\_\_\_ A.M.
- WisDOT Standard Specifications 107.8(6) and 108.7.1 will apply with the exception that the hours of operation requiring the engineer's written approval for operations will be changed to \_\_\_\_\_ P.M. until \_\_\_\_\_ A.M.
- Special construction stage noise abatement measures will be required.

# TRAFFIC NOISE EVALUATION

Wisconsin Department of Transportation

## Factor Sheet D-3

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

### 1. Need for Sound Level Analysis:

**Is the proposed action considered a Type I project or WisDOT Retrofit Project per FDM 23-10-1?**

- No – Complete only Factor Sheet D-2, Construction Stage Sound Quality Evaluation.
- Yes – Complete Factor Sheet D-2, Construction Stage Sound Quality Evaluation, and the rest of this sheet.

### 2. Traffic Data:

Indicate whether traffic volumes for sound prediction are different from the Design Hourly Volume (DHV) on Basic Sheet 6, Traffic Summary Matrix:

- No
- Yes – Indicate volumes and explain why they were used:

Automobiles	Veh/hr
Trucks	Veh/hr
Or Percentage (T)	%

### 3. Sound Level Analysis Technique

Identify and describe the noise analysis technique or program used to identify existing and future sound levels:

Federal Highway Administration's Traffic Noise Model (TNM) Version 2.5 was used to calculate the sound levels for the corridor. The Projected Design Hour Traffic Volumes provided by WisDOT NE Region Traffic Forecasting Section were used to model the existing and future traffic. Receptors were selected along the entire project corridor (See attached receptor location map in Appendix 10).

### 4. Sensitive Receptors

Identify sensitive receptors, e.g., schools, libraries, hospitals, residences, etc. potentially affected by traffic sound:

No sensitive receptors were identified on the project corridor.

### 5. Noise Impacts

If this proposal is implemented will future sound levels produce a noise impact?

- No
- Yes - The impact will occur because:
  - The Noise Level Criteria (NLC) is approached (1 dBA less than the NLC) or exceeded.
  - Existing sound levels will increase by 15 dBA or more.

**6. Abatement**

Will traffic noise abatement measures be implemented?

- Not applicable – Traffic noise impacts will not occur.
- No – Traffic noise abatement is not reasonable or feasible (explain why). In areas currently undeveloped, local units of government shall be notified of predicted sound levels for land use planning purposes. **A COPY OF THIS WRITTEN NOTIFICATION SHALL BE INCLUDED WITH THE FINAL ENVIRONMENTAL DOCUMENT.**

Noise abatement is not reasonable or feasible on this project. There are no impacted receptors on this project, therefore noise abatement is not warranted.

- Yes – Traffic noise abatement has been determined to be feasible and reasonable. Describe any traffic noise abatement measures which are proposed to be implemented. Explain how it will be determined whether or not those measures will be implemented:

Receptor Location or Site Identification (See attached map)	Distance from C/L of Near Lane to Receptor in feet (ft.)	Number of Families or People Typical of this Receptor Site	Sound Level $L_{eq}^1$ (dBA)			Impact Evaluation		
			Noise Level Criteria <sup>2</sup> (NLC)	Future Sound Level	Existing Sound Level	Difference in Future and Existing Sound Levels (Col. e minus Col. f)	Difference in Future Sound Levels and Noise Level Criteria (Col. e minus Col. d)	Impact <sup>3</sup> or No Impact
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
1	94	1	67	56	57	-1	-11	N
2	107	1	67	56	57	-1	-11	N
3	82	1	67	60	62	-2	-7	N
4	86	1	67	60	61	-1	-7	N
5	86	1	72	64	63	1	-8	N
6	139	1	72	61	60	1	-11	N
7	83	1	67	63	57	6	-4	N
8	141	1	67	59	52	7	-8	N
9	80	1	67	63	55	8	-4	N
10	91	1	67	63	55	8	-4	N
12	66	1	67	62	56	6	-5	N
13	71	1	67	62	55	7	-5	N
15	128	1	67	52	55	-3	-15	N
16	82	1	67	55	57	-2	-12	N
17	100	1	67	54	56	-2	-13	N
18	202	1	72	51	53	-2	-21	N
19	70	1	72	58	59	-1	-14	N
20	83	1	67	54	55	-1	-13	N
22	210	4	67	43	47	-4	-24	N

<sup>1</sup> Use whole numbers only.

<sup>2</sup> Insert the actual Noise Level Criteria from FDM 23-30, Table 1.

<sup>3</sup> An impact occurs when future sound levels exceed existing sound levels by 15 dB or more, **or**, future sound levels approach or exceed the Noise Level Criteria (“approach” is defined as 1 dB less than the Noise Level Criteria, therefore an impact occurs when Column (h) is –1 dB or greater). I = Impact, N = No Impact.

# HAZARDOUS SUBSTANCES, CONTAMINATION and ASBESTOS EVALUATION

## Factor Sheet D-4

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

**1. Briefly describe the results of the Phase 1 Hazardous Materials Assessment for this alternative. Do not use property identifiers (owner name, address or business name):**

Based on the findings of the Phase I Hazardous Materials Assessment (HMA) for the project area, eight (8) sites with recognized environmental conditions were identified along the project corridor. No further investigation or remediation is recommended at any sites.

Standard Specifications should be included in the contract to address the potential for encountering unexpected hazardous materials during project construction at the identified sites.

Unexpected contaminated soils encountered during construction will be remediated.

Site Reference #	Land Use of Concern (Past or Present)	Contaminants of Concern	Phase 1 Recommendations	Phase 2 Recommended?
				Y/N
1	Earth/Concrete Debris Berm	construction debris	Standard Special Provisions	N
2	Residential UST	petroleum products	Standard Special Provisions	N
3	Residential UST	petroleum products	No Further Action	N
4	Gas Station	petroleum products	No Further Action	N
5	Above Ground Storage Tank	petroleum products	Standard Special Provisions	N
6	Residential UST	petroleum products	No Further Action	N
7	Gas Station	petroleum products	No Further Action	N
8	Residential UST	petroleum products	No Further Action	N

**2. Were any parcels not included in the Phase 1 assessment?**

- No  
 Yes - How many:  
 Why were they not reviewed?

**3. Are there any sites with continuing obligations or deed restrictions?**

- No
- Yes - Complete the table for each site closed with continuing obligations or deed restrictions

**4. Have Phase 2 or 2.5 Assessments been completed? Discuss the results: Not applicable.**

Site Reference #	Phase 2/2.5 Recommendations	Remediation Recommended?		Is WisDOT a Responsible Party?	
		Yes	No	Yes	No

**5. Describe the results of any additional investigations performed by WisDOT or others: (Include the number of sites investigated, the level of investigation and results for each site)**

Not Applicable

**6. Describe any design elements that have been incorporate into this alternative to avoid any contaminated sites.**

Standard Specifications should be included in the contract to address the potential for encountering unexpected hazardous materials during project construction at the identified sites.

**7. Describe the remediation and waste management practices to be included in the design for areas where contamination cannot be avoided (e.g., materials handling plan, remediation of contamination, design changes to minimize disturbances):**

Not Applicable

**8. List any parcels with known contamination, proposed for acquisition:**

None

**9. ASBESTOS**

Have the bridges been inspected for the presence of asbestos containing material (ACM)?

Not applicable; no bridges included in proposed action.

**STORMWATER EVALUATION**

**Factor Sheet D-5**

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

**1. Indicate whether the proposed action may cause a discharge or will discharge to the waters of the state (Trans 401.03).**

No, the proposed action will not cause a discharge to waters of the state.

**2. Special consideration should be given to areas that are sensitive to water quality degradation. Provide specific recommendations on the level of protection needed.**

- No water special natural resources are affected by the alternative.
- Yes - Water special natural resources exist in the project area.
  - River/stream
  - Wetland
  - Lake
  - Endangered species habitat
  - Other – Describe

**3. Indicate whether circumstances exist in the project vicinity that require additional or special consideration, such as an increase in peak flow, total suspended solids (TSS) or water volume.**

- No additional or special circumstances are present.
- Yes - Additional or special circumstances exist. Indicate all that are present.
 

<input type="checkbox"/> Areas of groundwater discharge	<input type="checkbox"/> Areas of groundwater recharge
<input type="checkbox"/> Stream relocations	<input type="checkbox"/> Overland flow/runoff
<input type="checkbox"/> Long or steep cut or fill slopes	<input type="checkbox"/> High velocity flows
<input type="checkbox"/> Cold water stream	<input type="checkbox"/> Impaired waterway
<input type="checkbox"/> Large quantity flows	<input type="checkbox"/> Exceptional/outstanding resource waters
<input type="checkbox"/> Increased backwater	
<input type="checkbox"/> Other -	

**4. Describe the overall stormwater management strategy to minimize adverse effects and enhance beneficial effects.**

Guidelines and regulations for WisDOT project storm water management include the *WisDOT Facilities Development Manual*, Chapter 10, Erosion Control and Storm Water Quality; Wisconsin Administrative Code Chapter TRANS 401, Construction site Erosion Control and Storm Water Management Procedures for Department Actions; and the WisDOT/WDNR Cooperative Agreement Amendment-Memorandum of Understanding on Erosion Control and Storm water Management. The overall storm water management strategy for the proposed improvements would include the following:

Basic Principles and Best Management Practices

- Limit disturbance of natural drainage features and vegetation.
  - Steepen grading slopes (embankment and cut)
  - Construct retaining wall near Regent Road to avoid disturbance to existing drainage pond/wetlands
- Prepare and implement an approved erosion control plan before land disturbance begins.
- Protect areas that provide important water quality benefits or that are susceptible to erosion.
- Reduce direct discharge into streams and wetlands by having it flow through a filter strip or vegetated swale.
- Reduce runoff velocities by running storm water in shallow, flat-bottom swales.

Geometric Design Features/Storm Water Facilities

- Storm sewer system to control roadway drainage
- Vegetated ditches or grass swales to control quality of storm water discharge
- Storm water treatment ponds to control quality and quantity of storm water discharge

**5. Indicate how the stormwater management plan will be compatible with fulfilling Trans 401 requirements.**

The types of storm water management strategies listed in item 3, previous page, and in item 5 below are identified in and/or consistent with TRANS 401 *Construction Site Erosion Control and Storm Water Management Procedures for Department Actions*; and the WisDOT/WDNR Cooperative Agreement Amendment—*Memorandum of Understanding on Erosion Control and Storm Water Management*.

The proposed action would require one or more acres of land disturbance. Coverage under a Transportation Construction General Permit (TCGP) is required for WisDOT directed and supervised projects with one or more acres of land disturbance. A Notice of Intent (NOI) would be submitted to WDNR shortly after submitting request for final WDNR concurrence (typically, around 90% final design). A Certificate of Permit Coverage would be anticipated to be granted in conjunction with the final WDNR concurrence letter.

**6. Identify the stormwater management measures to be utilized.**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Swale treatment (parallel to flow)<br>Trans 401.106(10) | <input type="checkbox"/> In-line storm sewer treatment, such as catch basins,<br>non-mechanical treatment systems. |
| <input type="checkbox"/> Vegetated filter strips<br>(perpendicular to flow)                 | <input checked="" type="checkbox"/> Detention/retention basins – Trans 401.106(6)(3)                               |
| <input type="checkbox"/> Constructed storm water wetlands                                   | <input type="checkbox"/> Distancing outfalls from waterway edge  |
| <input type="checkbox"/> Buffer areas – Trans 401.106(6)                                    | <input type="checkbox"/> Infiltration – Trans 401.106(5)   |
|   | <input type="checkbox"/> Other   |
- Describe - \_\_\_\_\_

**7. Indicate whether any Drainage District may be affected by the project.**

- No - There will be no effects to a recognized drainage district.
- Yes
- Has initial coordination with a drainage board been completed?
- No - Explain \_\_\_\_\_
- Yes - Discuss results \_\_\_\_\_

**8. Indicate whether the project is within WisDOT's Phase I or Phase II stormwater management areas.**

Note: See Procedure 20-30-1, Figure 1, Attachment A4, the Cooperative Agreement between WisDOT and WisDNR. Contact Regional Stormwater/erosion Control Engineer if assistance is needed to complete the following:

- No - the project is outside of WisDOT's stormwater management area.
- Yes - The project affects one of the following and is regulated by a WPDES stormwater discharge permit, issued by the WisDNR:
- A WisDOT storm sewer system, located within a municipality with a population greater than 100,000.
  - A WisDOT storm sewer system located within the area of a notified owner of a municipal separate storm sewer system.
  - An urbanized area, as defined by the U.S. Census Bureau, NR216.02(3).
  - A municipal separate storm sewer system serving a population less than 10,000.

**9. Has the effect on downstream properties been considered?**

- No – Explain why: No downstream properties are impacted.
- Yes

# EROSION CONTROL EVALUATION

## Factor Sheet D-6

Alternative <b>Preferred Alternative – Alternative 3</b>	Length of This Alternative: <b>1.90 (WIS 29), 0.36 (County VV), 0.46 (Marley Street), 0.80 (Milltown Road) 0.27 (North County Line Road), 0.42 (Centerline Drive Extension)</b>
Preferred <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	

**1. Give a brief description of existing and proposed slopes in the project area, both perpendicular and longitudinal to the project. Include both existing and proposed slope length, percent slope and soil types.**

Existing side slopes in the project corridor range from flat to 1.5:1, and proposed range from flat to 3:1. Existing longitudinal slopes in the project corridor are mostly flat and proposed range from 0.30% to 4.85%.

According to WDNR and NRCS soil data, project area soils include those belonging to the Shawano-Boyer-Sisson and Onaway-Solona soil associations in Brown County and the Onaway-Solona soil association in Outagamie County. In Brown County, the Shawano-Boyer-Sisson association includes deep, excessively drained and well-drained, nearly level to steep soils that have a sandy and loamy subsoil. Typically, soils of the Shawano-Boyer-Sisson association are found on outwash plains and ridges and glacial lake plains. Soils of the Onaway-Solona association, found in both Brown and Outagamie counties, are deep, well-drained and somewhat poorly drained, nearly level to moderately steep soils that have a loamy subsoil. Typically, soils of the Onaway-Solona association are found on glacial till plains.

**2. Indicate all sensitive resources to be affected by the proposal that are sensitive to erosion, sedimentation, or waters of the state quality degradation and provide specific recommendations on the level of protection needed.**

- No - there are no sensitive resources affected by the proposal.
- Yes - Sensitive resources exist in or adjacent to the area affected by the project.
  - River/stream (Unnamed stream/drainage tributary to Trout Creek)
  - Lake
  - Wetland
  - Endangered species habitat
  - Other - Describe \_\_\_\_\_

**3. Are there circumstances requiring additional or special consideration?**

- No - Additional or special circumstances are not present.
- Yes - Additional or special circumstances exist. Indicate all that are present.
  - Areas of groundwater discharge
  - Overland flow/runoff
  - Long or steep cut or fill slopes
  - Areas of groundwater recharge (fractured bedrock, wetlands, streams)
  - Other - Describe any unique or atypical erosion control measures to be used to manage additional or special circumstances

**4. Describe overall erosion control strategy to minimize adverse effects and/or enhance beneficial effects.**

Guidelines and regulations for minimizing the potential for erosion and sedimentation for highway projects include the WisDOT Facilities Development Manual, Chapter 10, *Erosion Control and Storm Water Quality*; Wisconsin Administrative Code Chapter TRANS 401, *Construction Site Erosion Control and Storm Water Management Procedures for Department Actions*; and the WisDOT/WDNR Cooperative Agreement Amendment, *Memorandum of Understanding on Erosion Control and Storm Water Management*. Key concepts are summarized as follows:

**Basic Principles and Best Management Practices**

- The proposed improvements will be planned to fit topography, soils, drainage patterns, and natural vegetation to the extent practicable.
- The size of exposed areas at any one time and the duration of exposure will be minimized.
- Control measures will be used to prevent erosion and sedimentation in sensitive areas (proper design of drainage channels with respect to width, depth, gradient, side slopes, and energy dissipation); protective groundcover (vegetation, mulch, erosion mat, or riprap); diversion dikes and intercepting embankments to divert sheet flow away from disturbed areas; and sediment control devices (retention/detention basins, ditch checks, erosion bales, and silt fence).

- Disturbed areas will be protected from off-site runoff and sediment will be prevented from leaving the construction site.
- Spoil piles will be stored away from sensitive areas.
- Runoff velocities will be kept low by maintaining short slope lengths, low gradients, and vegetative cover.
- Disturbed areas will be stabilized as soon as practicable (temporary vegetation, mulch, stabilizing emulsions).
- Do not park or store equipment in sensitive areas.

***Geometric Design Features and Erosion Control Facilities***

- Smooth grade lines with gradual changes will be used.
- Natural and existing drainage patterns will be preserved to the extent possible.
- Stabilized slopes, soil, and stream banks will be left undisturbed where possible.
- Trees and shrubs will be preserved, and over-clearing will be prevented or minimized.
- Irregular ditch profiles and steep gradients will be avoided where possible.
- Vegetated ditches and drainage channels with wide, rounded cross sections will be used where applicable.
- An undisturbed buffer will be left between disturbed soil and sensitive areas where possible.
- The soil surface will be protected by using permanent and temporary erosion control measures such as seeding and sodding, mulch, erosion mat, and riprap.
- Sediment will be removed and velocities reduced by using erosion bales, silt fence, stone or rock ditch checks, sediment traps, and basins.

***Erosion Control Implementation Plan***

The construction contractor is required to prepare an Erosion Control Implementation Plan that includes all erosion control commitments made during a future engineering phase. The ECIP is due 14 days prior to the project's preconstruction meeting. This plan must be approved by WisDOT with concurrence by WDNR. The construction plans and contract special provisions must include the specific erosion control measures agreed on by WisDOT in consultation with WDNR who reviews the Erosion Control Implementation Plan.

***Transportation Construction General Permit (TCGP)***

The proposed action would require one or more acres of land disturbance. Coverage under a Transportation Construction General Permit (TCGP) is required for WisDOT directed and supervised projects with one or more acres of land disturbance. A Notice of Intent (NOI) would be submitted to WDNR shortly after submitting request for final WDNR concurrence (typically, around 90% final design). A Certificate of Permit Coverage would be anticipated to be granted in conjunction with the final WDNR concurrence letter.

**5. Discuss results of coordination with the appropriate authorities as indicated below.**

Coordination with the following agencies is ongoing.

- WDNR
- American Indian Tribe

Note: All erosion control measures (i.e., the Erosion Control Plan) shall be coordinated through the WisDOT-WDNR liaison process and TRANS 401 except when Tribal lands of American Indian Tribes are involved. WDNR's concurrence is not forthcoming without an Erosion Control Plan. In addition, TRANS 401 requires the contractor to prepare an Erosion Control Implementation Plan (ECIP), which identifies timing and staging of the project's erosion control measures. The ECIP should be submitted to the WDNR liaison and to WisDOT 14 days prior to the preconstruction conference (Trans 401.08(1)) and must be approved by WisDOT before implementation. On Tribal lands, coordination for 402 (erosion) concerns are either to be coordinated with the tribe affected or with the U.S. Environmental Protection Agency (EPA). EPA or the tribes have the 401 water quality responsibility on Trust lands. Describe how the Erosion Control/Stormwater Management Plan can be compatible.

**6. Will any special erosion control measures to be implemented to manage additional or special circumstances identified in Item 3 above?**

No

Yes – Describe:

Minimize the amount of land exposed at one time

Temporary seeding

Silt fence

Dust abatement

Rip rap

Inlet protection

Permanent seeding

Mulching

Vegetative swales

Ditch checks

Erosion or turf reinforcement mat

# APPENDICIES

APPENDIX 1	Alternative Displays
APPENDIX 2	Milltown Road Alternatives Memo
APPENDIX 3	Preliminary Plans Existing and Proposed Typical Sections
APPENDIX 4	Agency Coordination
APPENDIX 5	SHPO/Section 106 Documentation/ THPO Coordination
APPENDIX 6	Agricultural Impact Information
APPENDIX 7	Indirect and Cumulative Effects
APPENDIX 8	Wetland Impact Information
APPENDIX 9	Waterway Impacts
APPENDIX 10	Traffic Noise Receptor Location Map
APPENDIX 11	2008 Corridor Preservation Study EA/FONSI Cover Sheet
APPENDIX 12	Public Comments Received during Public Hearing Comment Period

# APPENDIX 1

## Alternative Displays

## Preferred Alternative Displays

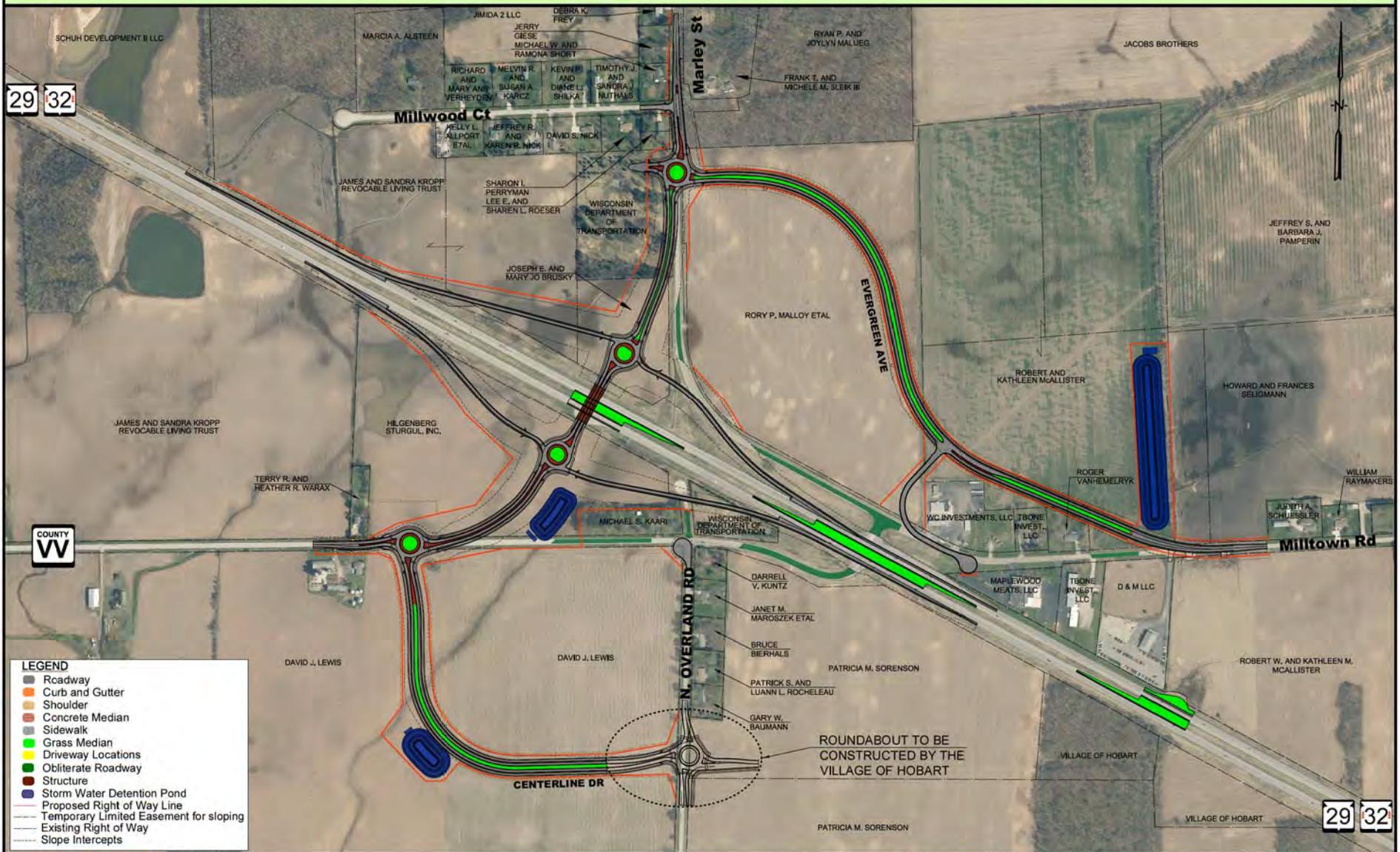
# County U Preferred Alternative



## WIS 29/COUNTY VV Interchange, Brown County



# County VV, Milltown Road, and Centerline Drive -Preferred Alternative- VV Alternative 3, Alternative MT4 (Modified), Alternative CL1

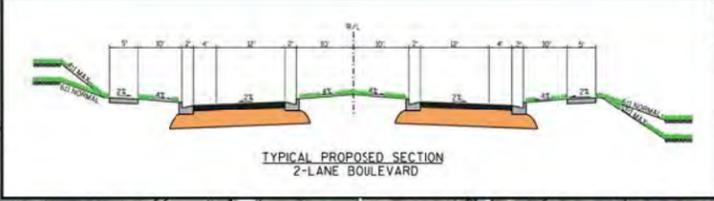


# Milltown Road Alternatives

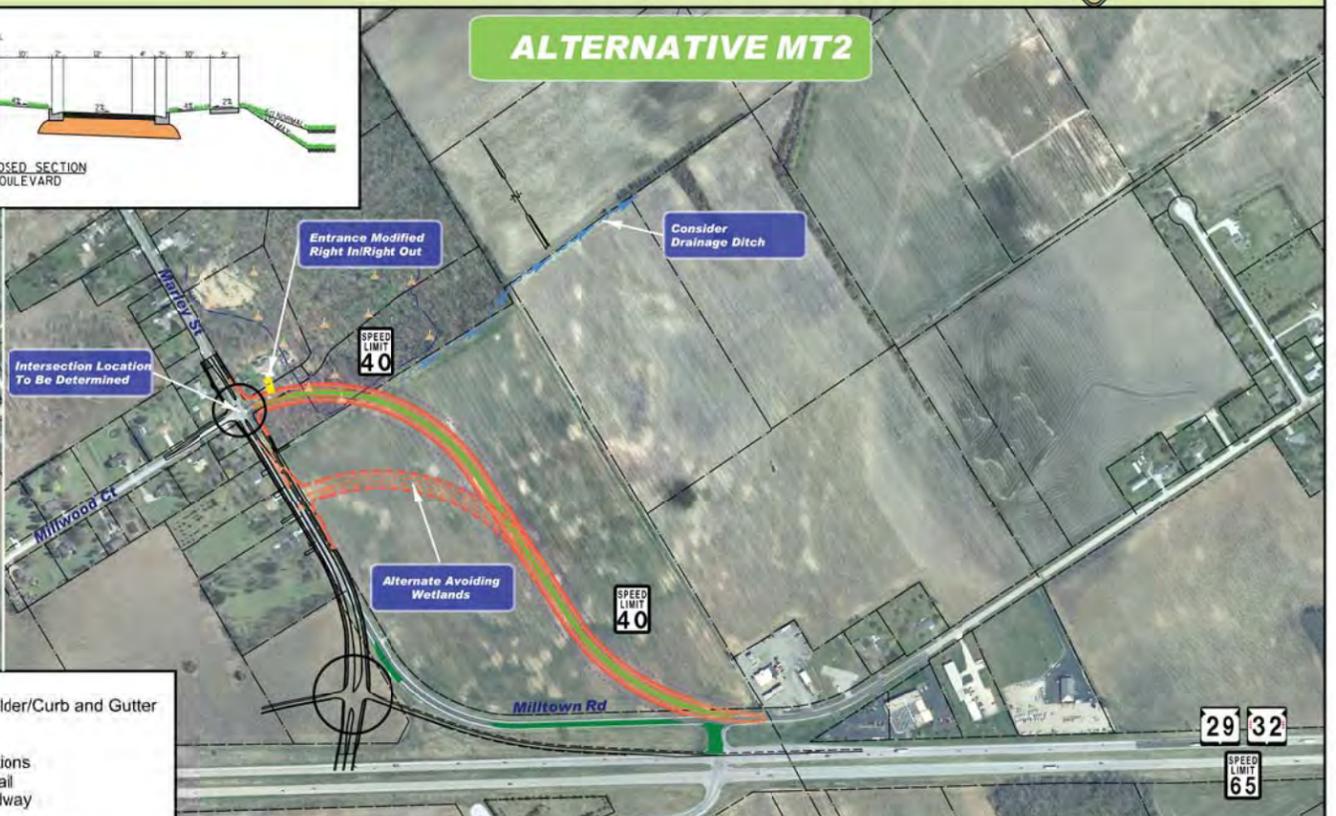
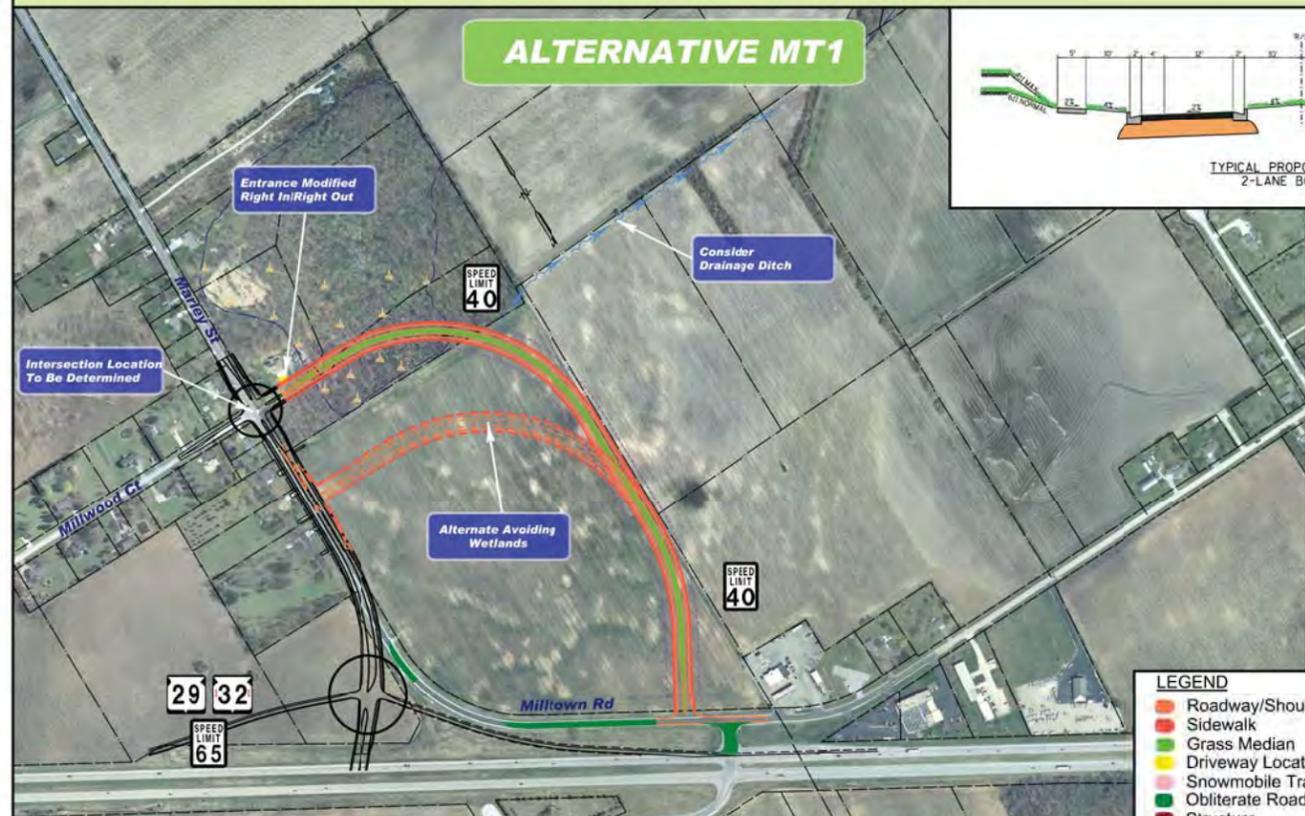
# Milltown Road Alternatives



**ALTERNATIVE MT1**



**ALTERNATIVE MT2**



**LEGEND**

- Roadway/Shoulder/Curb and Gutter
- Sidewalk
- Grass Median
- Driveway Locations
- Snowmobile Trail
- Obliterate Roadway
- Structure
- Tribal Lands
- Preliminary Real Estate Impact Limits
- Intersection Layout TBD
- Relocation
- Wetlands
- Existing Right of Way
- Future Roadway Network

**ALTERNATIVE MT3**



**ALTERNATIVE MT4**



## WIS 29 Freeway Conversion, Brown County



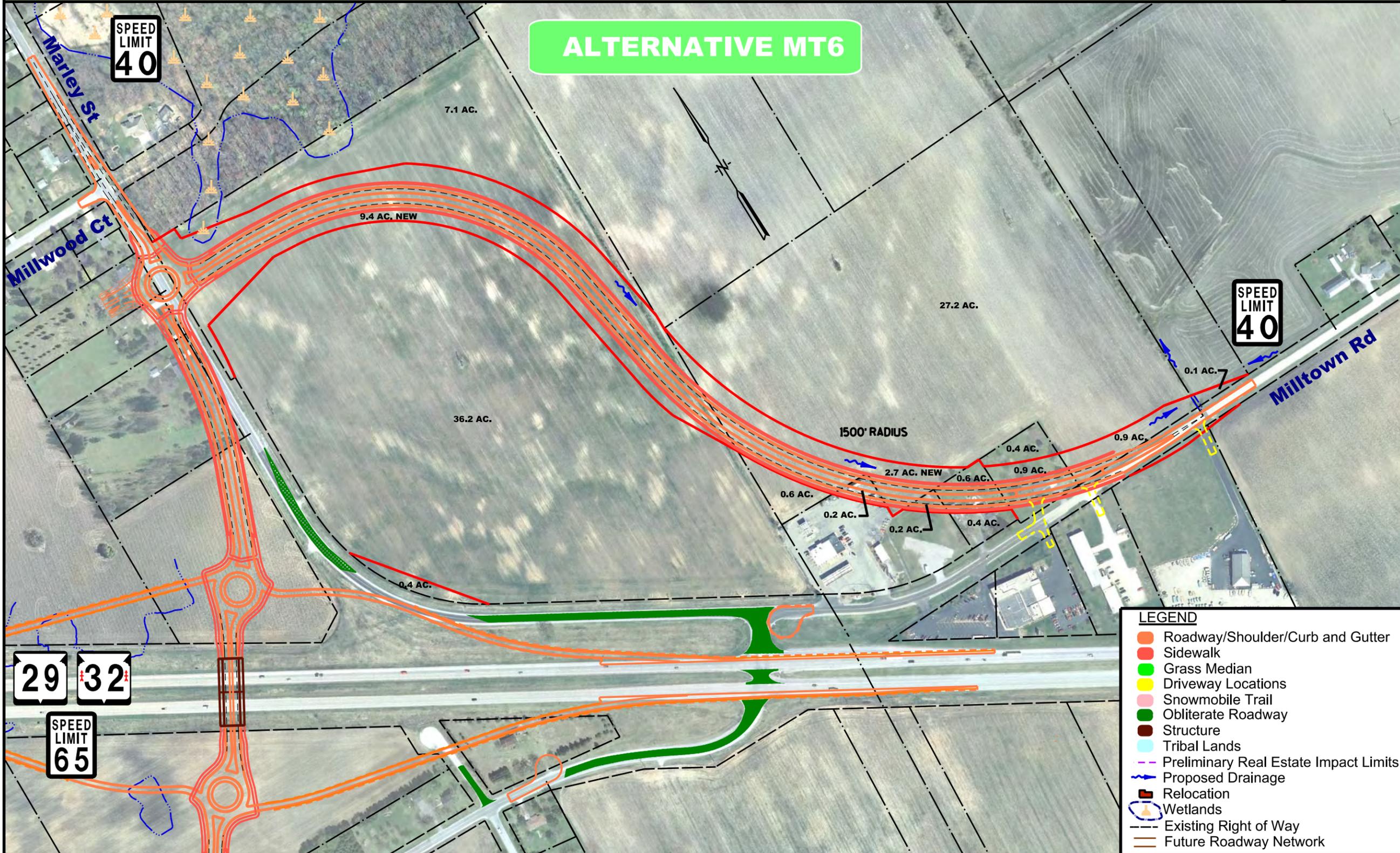


05-31-2012  
PRELIMINARY

# Milltown Road Alternatives



## ALTERNATIVE MT6



LEGEND	
	Roadway/Shoulder/Curb and Gutter
	Sidewalk
	Grass Median
	Driveway Locations
	Snowmobile Trail
	Obliterate Roadway
	Structure
	Tribal Lands
	Preliminary Real Estate Impact Limits
	Proposed Drainage
	Relocation
	Wetlands
	Existing Right of Way
	Future Roadway Network

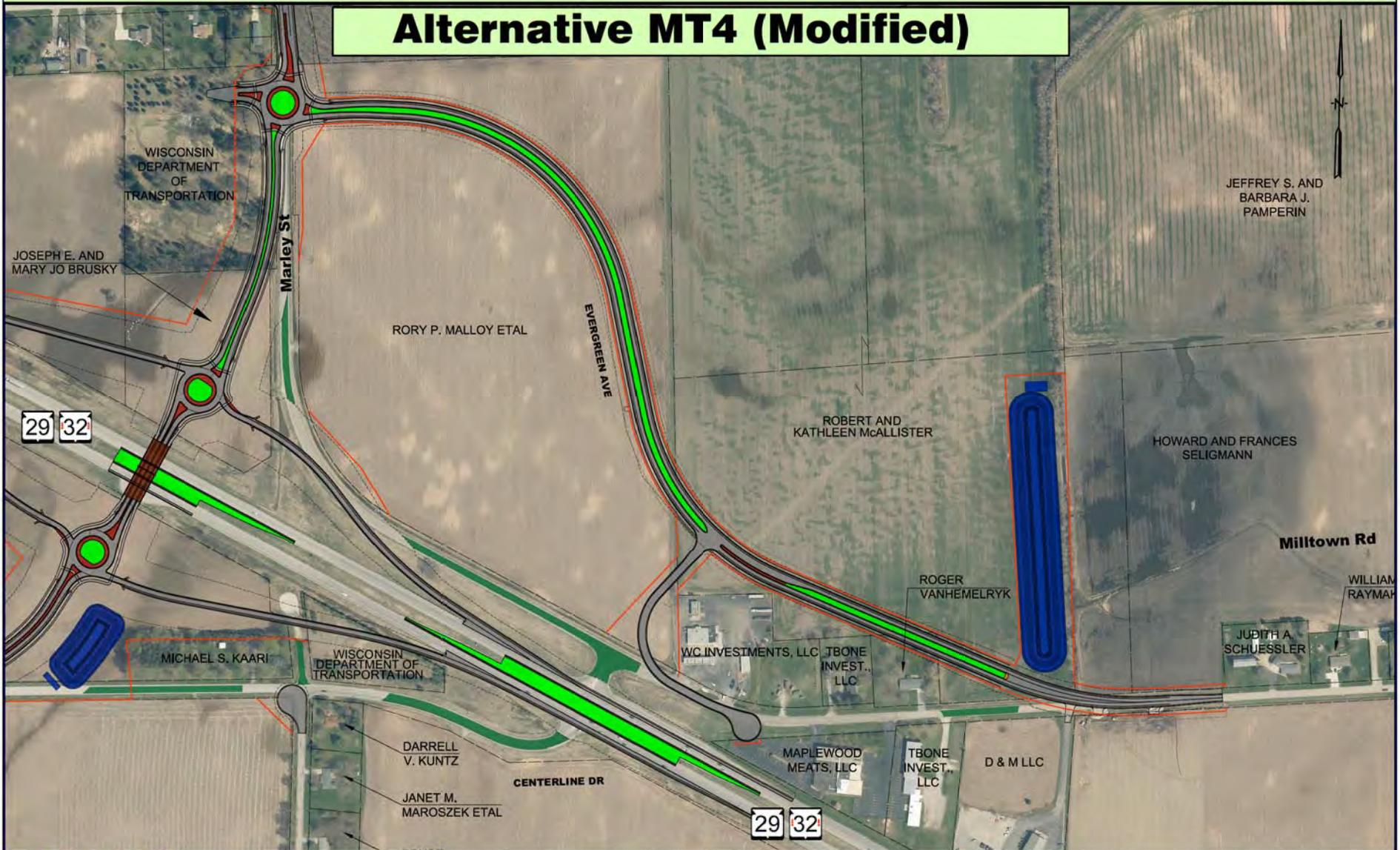


## WIS 29 Freeway Conversion, Brown County



# Milltown Road Preferred Alternative

## Alternative MT4 (Modified)

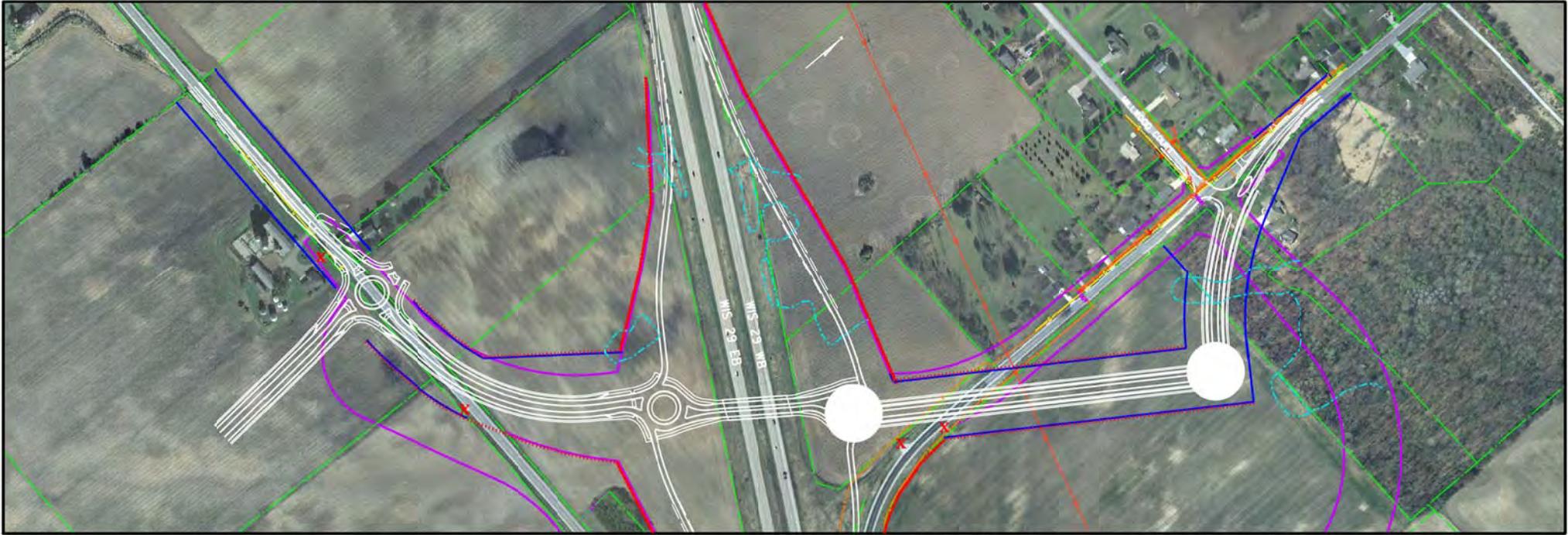


**WIS 29/COUNTY VV Interchange, Brown County**

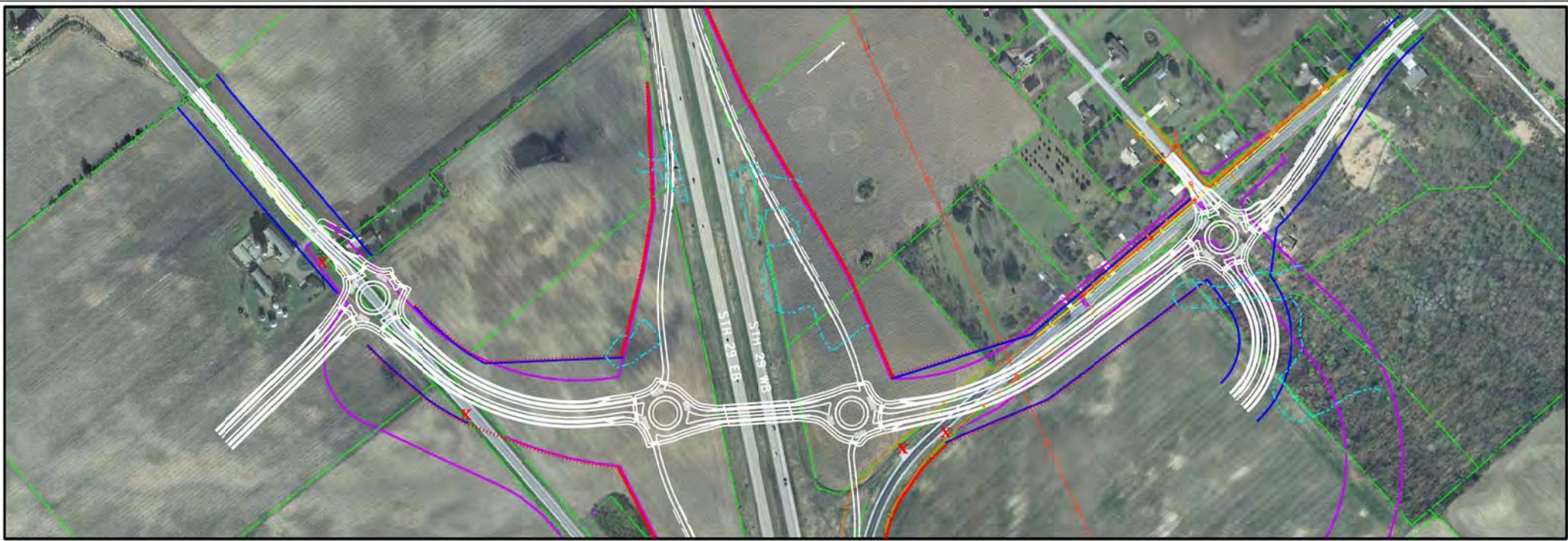


# County VV Alternatives

CTH VV: ALTERNATIVE 1 - SHIFTED ALIGNMENT

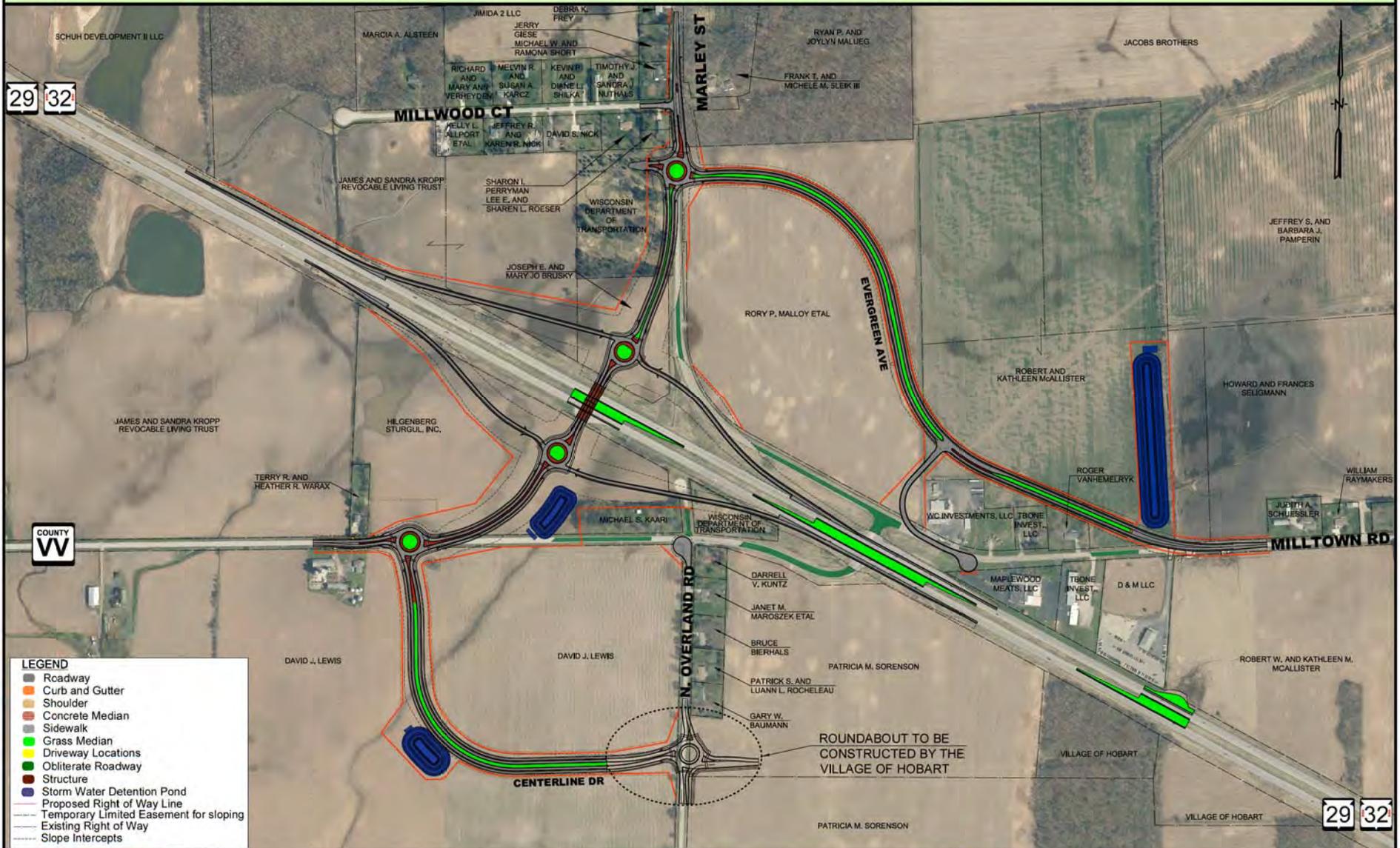


CTH VV: ALTERNATIVE 2 - MILLWOOD CT ROUNDABOUT



# County VV Preferred Alternative

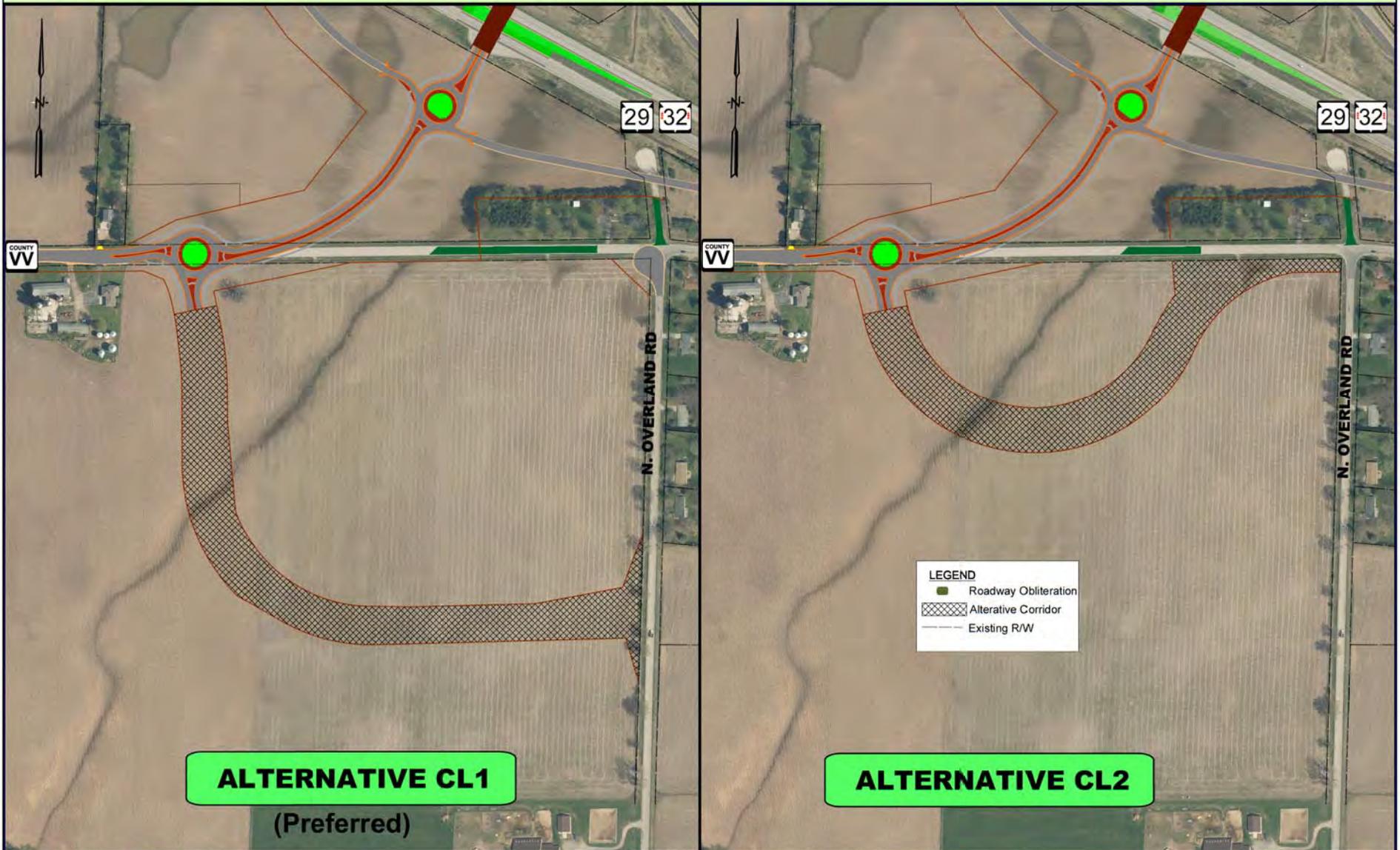
## CTH VV: Alternative 3 - Milltown Roundabout



**WIS 29/COUNTY VV Interchange, Brown County**

# Centerline Drive Alternatives

# Centerline Drive Alternatives



**WIS 29/COUNTY VV Interchange, Brown County**



## APPENDIX 2

### Milltown Road Alternatives Memo

**MEMORANDUM**

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To: Jill Hilbert, WisDOT - NER

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From: Sorensen/Verville

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Date: January 11, 2011 (updated 2/10/11) Project No.: 9200-06-00

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Re: Milltown Road Alternatives (STH 29 Freeway Conversion)

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Several alternatives for the Milltown Road extension have been developed in attempt to avoid possible wetland impacts that are currently anticipated with the originally proposed Milltown Road extension (as included in preservation plan).

Considering Alternatives A1 through F as described below and shown in the attached exhibits, the design team is with the opinion that Alternatives A1, D, and E1 are the most viable and warrant consideration and further evaluation.

**Alternative A1**

This alternative shifts the proposed intersection of Milltown Road extension/Millwood Court to the southeast of the originally proposed intersection.

**Pros:**

- Shifted intersection maintains required 1320 ft intersection spacing.
- Shifted roundabout will minimize the possible impacts to the forested wetland.
- Marley Street from the interchange to Milltown Road extension/Millwood Court intersection is shifted to the east to provide less impact to existing residential properties.

**Cons:**

- Requires residential relocation.
- Possible additional impacts to parcel located in the northeast quadrant of existing Milltown Road/Millwood Court intersection.

## **Alternative A2**

This alternative is similar to Alternate A1 as it shifts the proposed intersection of Milltown Road extension/Millwood Court to the southeast of the originally proposed intersection. Millwood Court would be cul-de-saced and a new connection to Glendale Avenue would be built to access Millwood Court.

### **Pros:**

- Shifted intersection maintains required 1320 ft intersection spacing.
- Shifted roundabout will minimize the possible impacts to the forested wetland.
- Marley Street from the interchange to Milltown Road extension/Millwood Court intersection is shifted to the east to provide less impact to existing houses (but does require longer driveways).
- Additional roadway length opens additional land for business/residential development.

### **Cons:**

- Removes access of Millwood Court to Marley Street.
- Considerably longer route to access houses on Millwood Court from Marley Street.
- Possible additional impacts to parcel located in the northeast quadrant of existing Milltown Road/Millwood Court intersection.
- Requires approximately 0.50 miles of new local roadway required to maintain access to Millwood Court.

This alternative is less practical due to the longer access to Millwood Court.

## **Alternative B**

This alternative shifts the proposed Milltown Road extension intersection to the north of the existing Millwood Court intersection.

### **Pros:**

- Keeps Millwood Court in its existing location. Intersection spacing is greater than 1320 ft.
- Milltown Road extension avoids possible wetland impacts.
- Marley Street from the interchange to Millwood Court is shifted to the east to provide less impact to existing residential properties.
- Keeps Millwood Court in its existing location.
- Additional roadway length opens additional land for business/residential development.

### **Cons:**

- Longer route to access existing businesses on Milltown Road to the east.
- Additional roadway construction length for Milltown Road extension and Marley Street.

This alternative is not practical due to the additional roadway needed to be constructed and the distance of Milltown Road to access existing businesses.

## Alternative C

This alternative has the proposed Milltown Road extension connecting thru existing Millwood Court by traveling under Marley Street.

### Pros:

- Keeps Millwood Court in its existing location. Intersection spacing is greater than 1320 ft.
- Milltown Road extension avoids possible wetland impacts.
- Marley Street from the interchange to Millwood Court is shifted to the east providing less impact to existing residential properties (but requires longer driveways).
- Additional roadway length opens addition land for business/residential development.

### Cons:

- Longer route and mis-direction (turn west to go east) to access to existing businesses on Milltown Road.
- Additional roadway construction length for Milltown Road and for connection to Glendale Avenue.
- Millwood Court would need to be extended and completely reconstructed.
- Additional structure required for Marley Street over Milltown Road.

This alternative is not practical due to the additional roadway and structure needed to be constructed as well as the distance of Milltown Road to access existing businesses.

## Alternative D

This alternative shifts the proposed intersection of Milltown Road extension to the southeast of the originally proposed intersection. Millwood Court intersection would stay in its present location with Marley Street or be cul-de-saced (could be left open with original construction with the understanding that it would be cul-de-saced once traffic volumes warranted it – requiring Village of Howard to construct new local roadway as fourth leg of the roundabout).

### Pros:

- Shifted roundabout will avoid possible impacts to the forested wetland.
- Marley Street from the interchange to Milltown Road extension intersection is shifted to the east providing less impact to existing residential properties (but requires longer driveways).

### Cons:

- Potential residential relocation if Millwood Court is cul-de-saced.
- Access issues for houses to the west that are in close proximity of proposed roundabout.
- Shifted intersection is below required intersection spacing of 1320 ft.
- Closely spaced intersections of Millwood Court and Milltown Road extension if Millwood Court is not cul-de-saced.
- Small lots created north of the proposed Milltown Road extension and possible forested wetland.

## Alternative E1

This alternative shifts the proposed intersection of Milltown Road extension to the southeast of the originally proposed intersection. Millwood Court intersection would stay in its present location with Marley Street.

### Pros:

- Shifted roundabout will avoid possible impacts to the forested wetland.
- Marley Street from the interchange to Milltown Road extension intersection is shifted to the east to provide less impact to existing houses.
- Milltown Road is shifted to the north to eliminate small lots between roadway and forested wetland.

### Cons:

- Access issues for houses to the west in close proximity of the proposed roundabout.
- Shifted intersection is below required intersection spacing of 1320 ft.
- Closely spaced intersections of Millwood Court and Milltown Road extension

## Alternative E2

This alternative is similar to Alternate E1 as it shifts the proposed intersection of Milltown Road extension to the southeast of the originally proposed intersection although Milltown Road to the east is modified to provide a more direct route to the existing roadway. Millwood Court intersection would stay in its present location with Marley Street.

### Pros:

- Shifted roundabout will avoid possible impacts to the forested wetland.
- Marley Street from the interchange to Milltown Road extension intersection is shifted to the east to provide less impact to existing houses.
- Milltown Road is shifted to the north to eliminate small lots between roadway and forested area.
- Milltown Road has more direct route to existing businesses.

### Cons:

- Access issues for houses to the west in close proximity of the proposed roundabout.
- Shifted intersection is below required intersection spacing of 1320 ft.
- Closely spaced intersections of Millwood Court and Milltown Road extension
- Triangular lot is created between Milltown Road extension and Marley Street.

This alternative is not very viable as it divides the existing parcel in an undesirable manner for the future development of this parcel (it also does not compliment the Village of Howard's planned roadways).

## Alternative E3

This alternative is similar to Alternate E1 as it shifts the proposed intersection of Milltown Road extension to the southeast of the originally proposed intersection. Millwood Court intersection would stay in its present location with Marley Street.

### Pros:

- Shifted intersection will avoid possible impacts to the forested wetland.
- Marley Street from the interchange to Milltown Road extension intersection is shifted to the east to provide less impact to existing houses.
- Milltown Road is shifted to the north to eliminate small lots between roadway and forested wetland.

### Cons:

- Access issues for houses to the west in close proximity of the proposed intersection.
- Shifted intersection is below required intersection spacing of 1320 ft.
- Closely spaced intersections of Millwood Court and Milltown Road extension
- Traffic signals maybe required depending on traffic counts & turning movements

## Alternative E4

This alternative is similar to Alternate E1 as it shifts the proposed intersection of Milltown Road extension to the southeast of the originally proposed intersection. Millwood Court intersection would stay in its present location with Marley Street.

### Pros:

- Shifted intersection will avoid possible impacts to the forested wetland.
- Marley Street from the interchange to Milltown Road extension intersection is shifted to the east to provide less impact to existing houses.
- Milltown Road is shifted to the north to eliminate small lots between roadway and forested wetland.
- Milltown Road has more direct route to existing businesses.

### Cons:

- Access issues for houses to the west in close proximity of the proposed intersection.
- Shifted intersection is below required intersection spacing of 1320 ft.
- Closely spaced intersections of Millwood Court and Milltown Road extension
- Triangular lot is created between Milltown Road extension and Marley Street.
- Traffic signals maybe required depending on traffic counts & turning movements.

This alternative is not very viable as it divides the existing parcel in an undesirable manner for the future development of this parcel (it also does not compliment the Village of Howard's planned roadways).

## Alternative F

This alternative creates a 5-legged roundabout at the westbound ramp terminal.

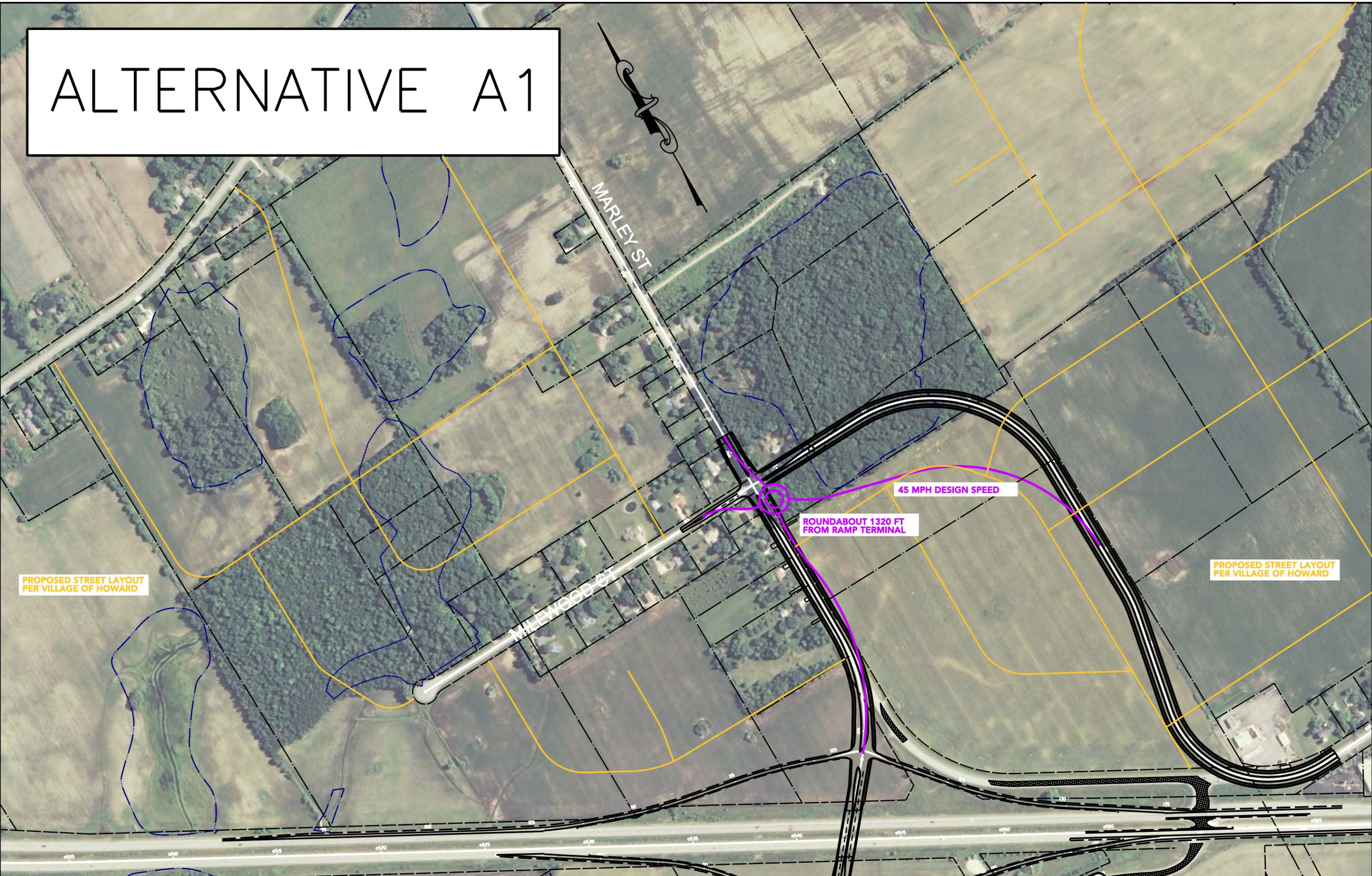
### Pros:

- Avoids possible impacts to the forested wetland.
- Milltown Road has more direct route to existing businesses.
- Provides more desirable access for the Shell Gas Station (considerably more of a gradual horizontal curve at the access point than that required for other alternatives).
- Reduces length of required construction of Milltown Road thus reducing project costs.
- WB exiting traffic destined to travel EB on Milltown Road could perform this turning movement without entering the intersection via a separated by-pass lane.
- Reduces traffic volumes along Marley Street between the interchange and the area of Millwood Court (general location of proposed Milltown – Marley intersection per the other alternatives).

### Cons:

- Creates a unique roundabout that may lead to driver confusion (violates driver's expectation).
- Marley Street from the interchange to Millwood Court intersection is not shifted to the east providing less impact to existing residential properties (although the roadway could be shifted to the east if desired).
- This alternative can't be implemented with the use of traffic signals thus limiting the type of intersection control that could be used under this alternative (TBD in ICE reports).
- Does not "compliment" the Village of Howard's planned roadways for future development.
- Does not comply with desired minimum spacing from ramp terminal to local intersection.

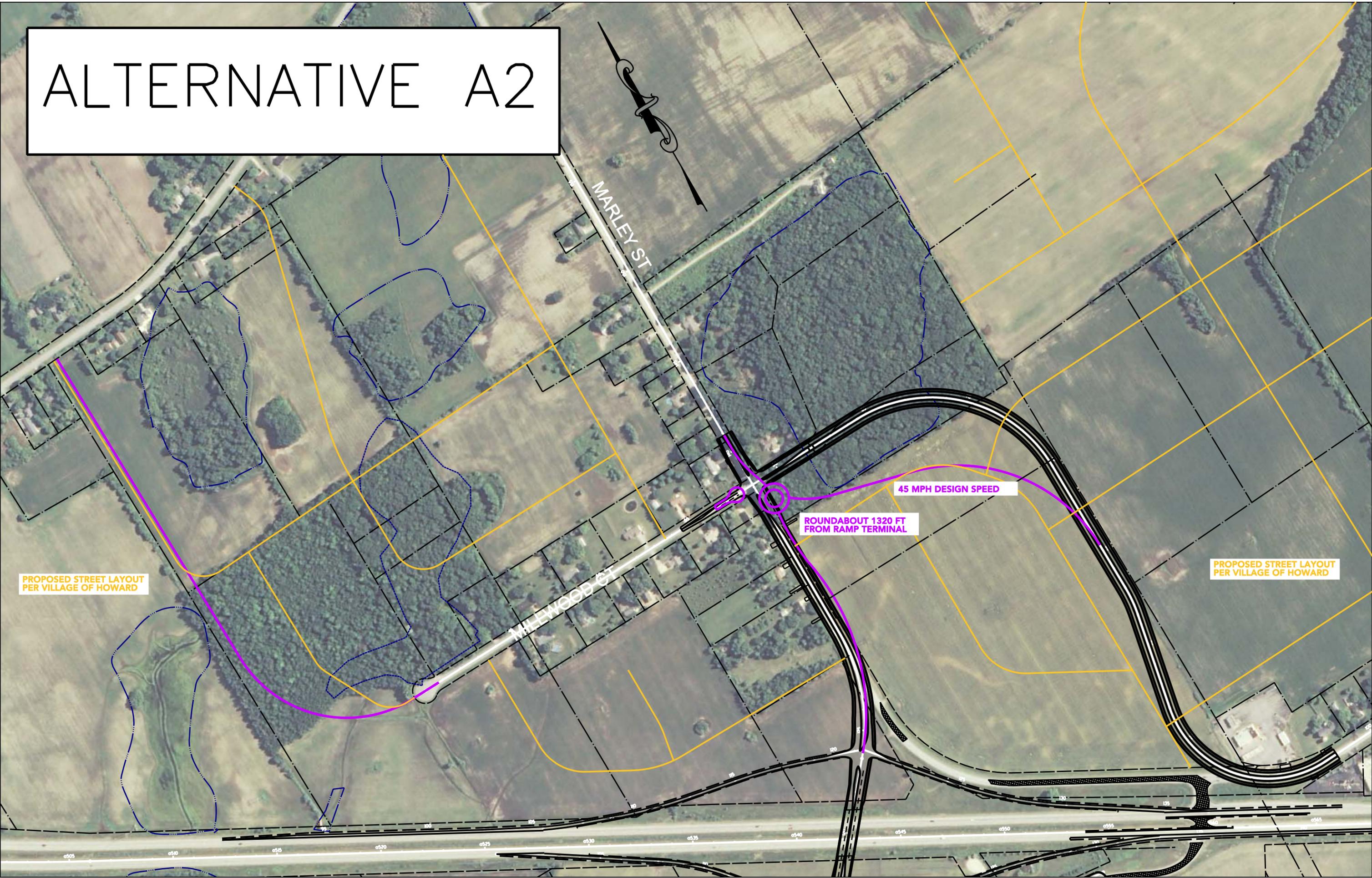
# ALTERNATIVE A1



PROPOSED STREET LAYOUT  
PER VILLAGE OF HOWARD

PROPOSED STREET LAYOUT  
PER VILLAGE OF HOWARD

# ALTERNATIVE A2



# ALTERNATIVE B

NOT RECOMMENDED BY WISDOT

45 MPH DESIGN SPEED

MARLEY ST

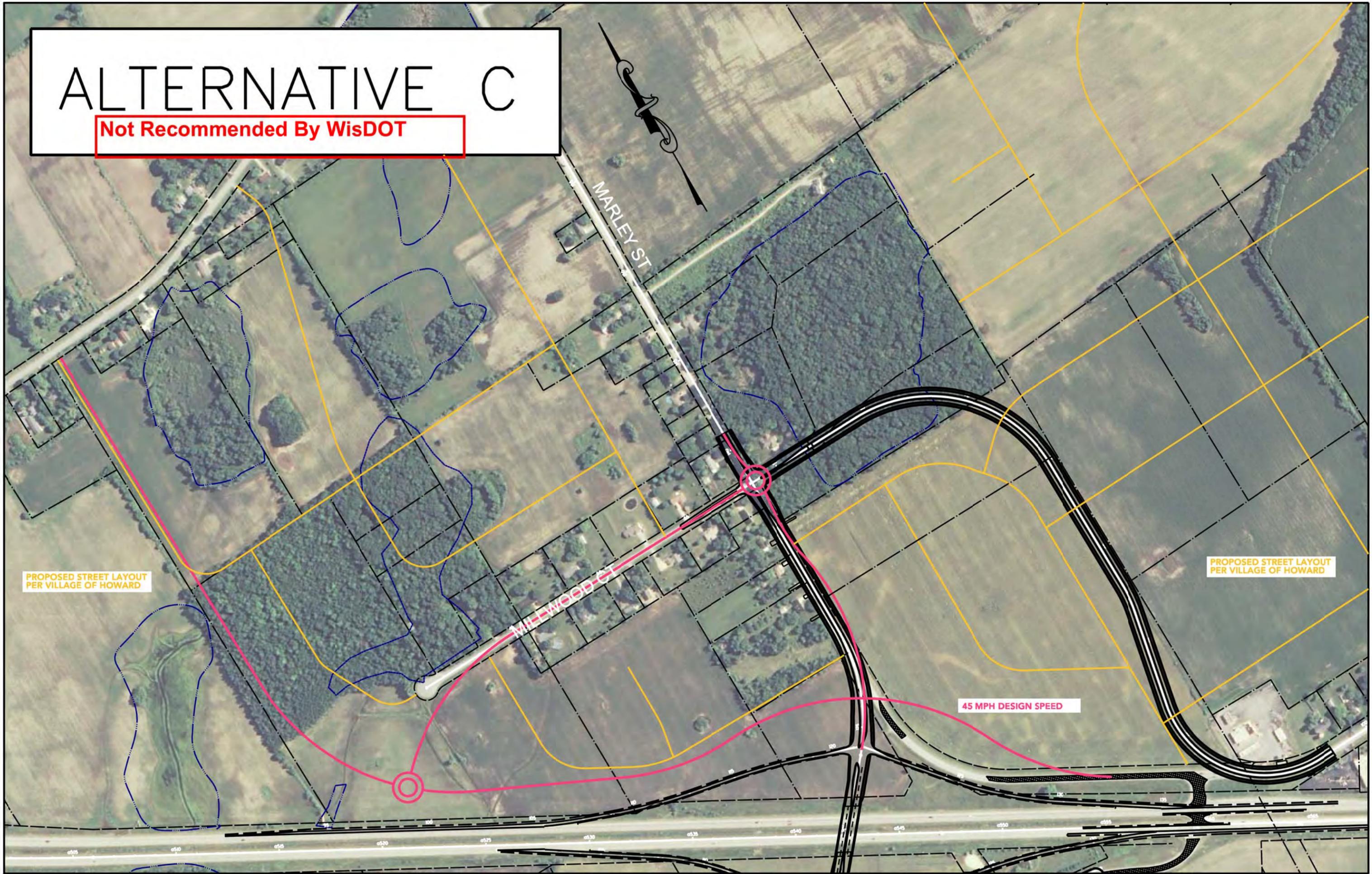
MILWOOD ST

PROPOSED STREET LAYOUT  
PER VILLAGE OF HOWARD

PROPOSED STREET LAYOUT  
PER VILLAGE OF HOWARD

# ALTERNATIVE C

Not Recommended By WisDOT



PROPOSED STREET LAYOUT  
PER VILLAGE OF HOWARD

PROPOSED STREET LAYOUT  
PER VILLAGE OF HOWARD

45 MPH DESIGN SPEED

# ALTERNATIVE D

MARLEY ST

MILLWOOD CT

PROPOSED STREET LAYOUT  
PER VILLAGE OF HOWARD

PROPOSED STREET LAYOUT  
PER VILLAGE OF HOWARD

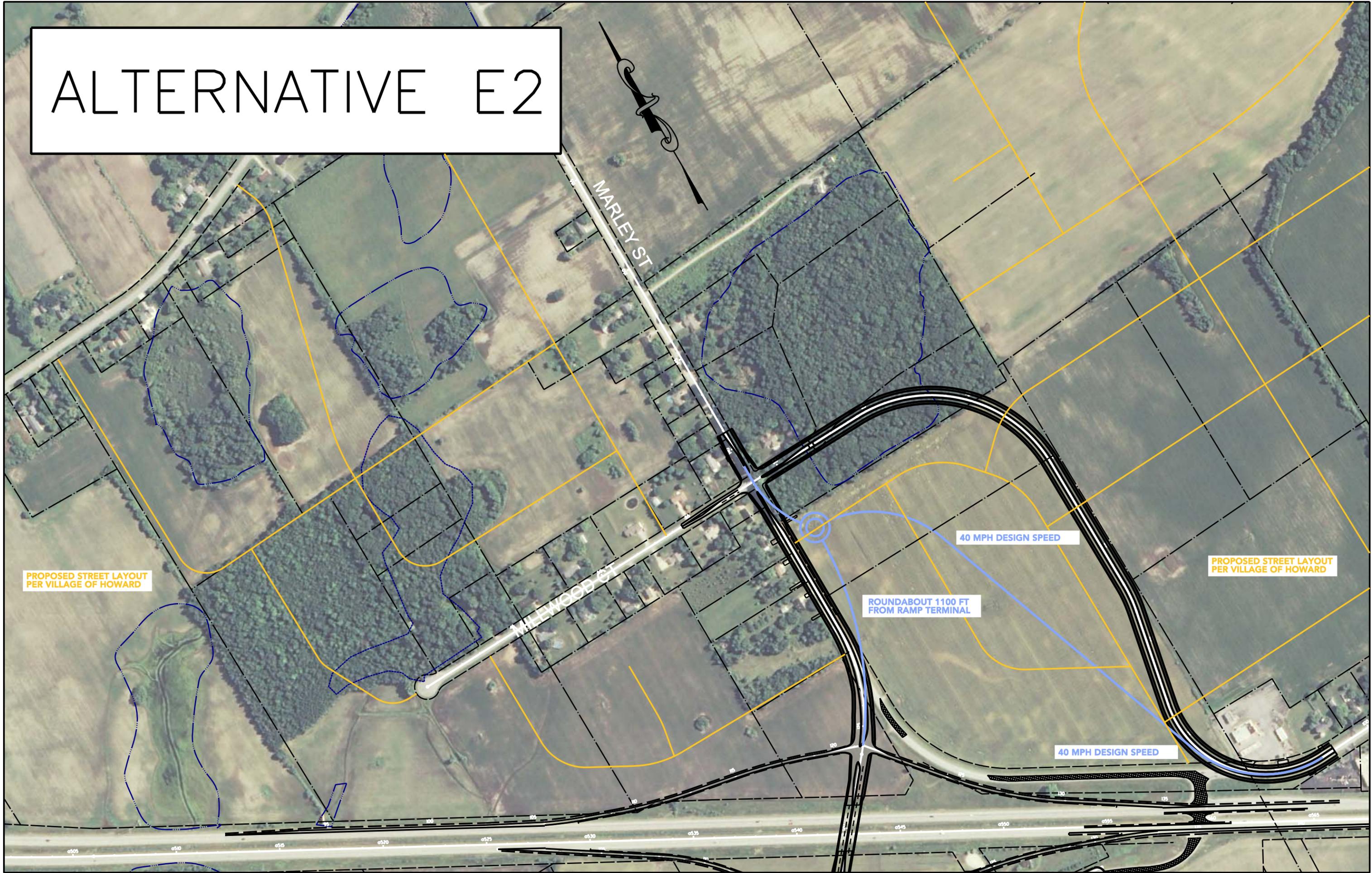
ROADWAY IF MILLWOOD CT  
IS CUL DE SACED

ROUNDABOT 950 FT  
FROM RAMP TERMINAL

# ALTERNATIVE E1



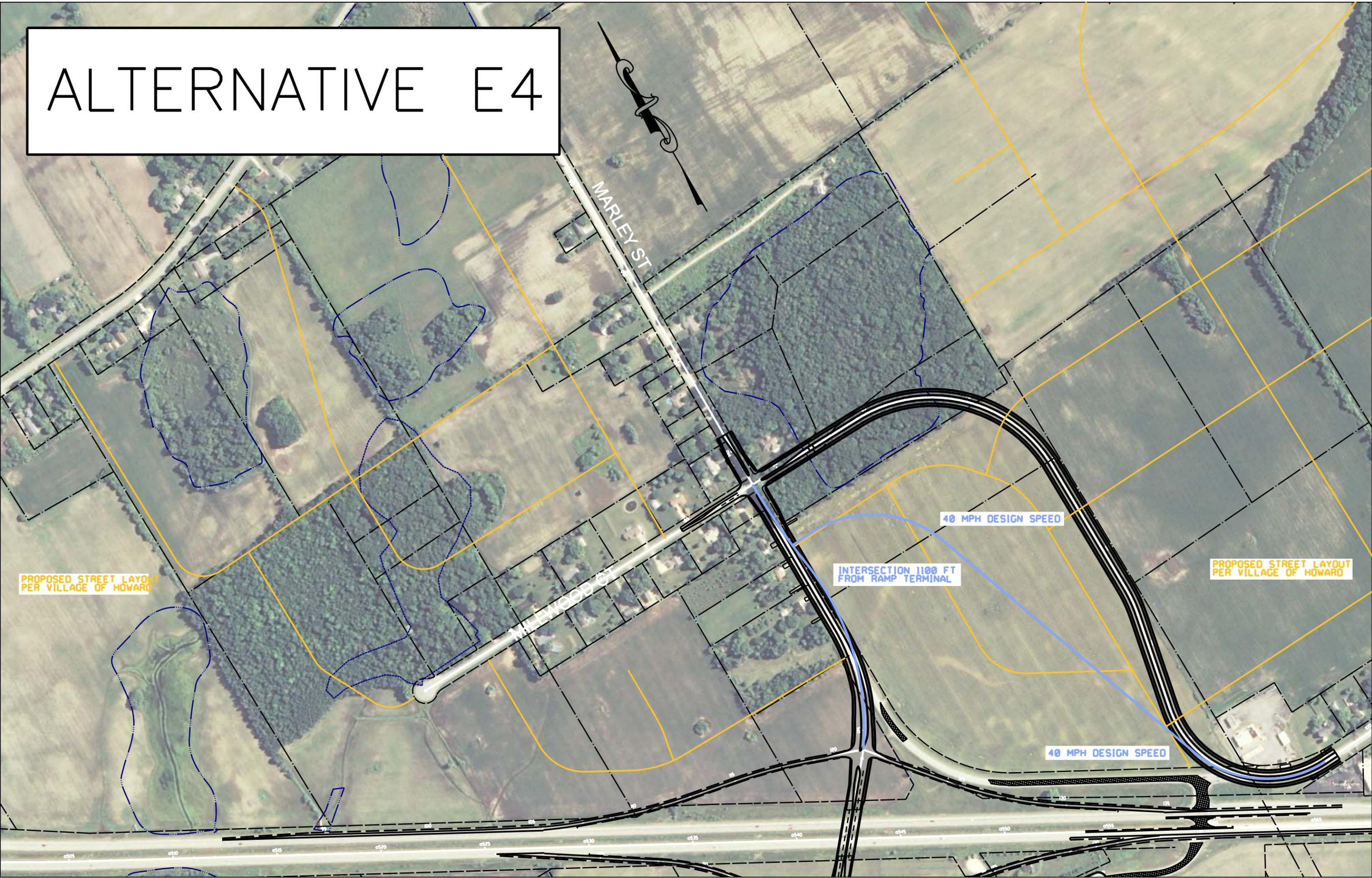
# ALTERNATIVE E2



# ALTERNATIVE E3



# ALTERNATIVE E4



# ALTERNATIVE F

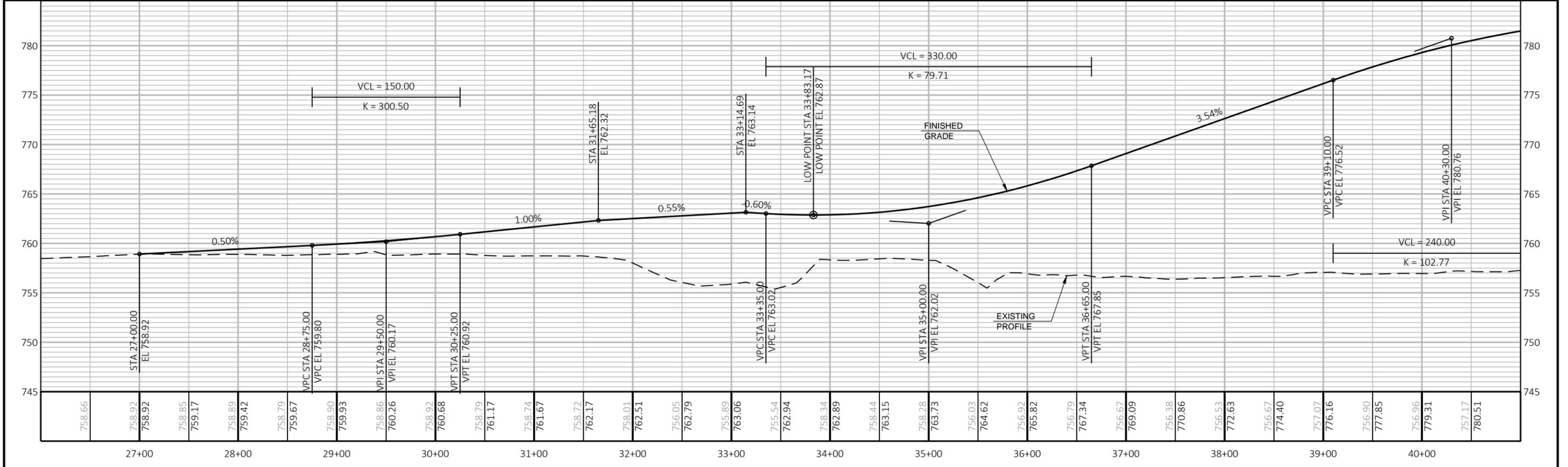
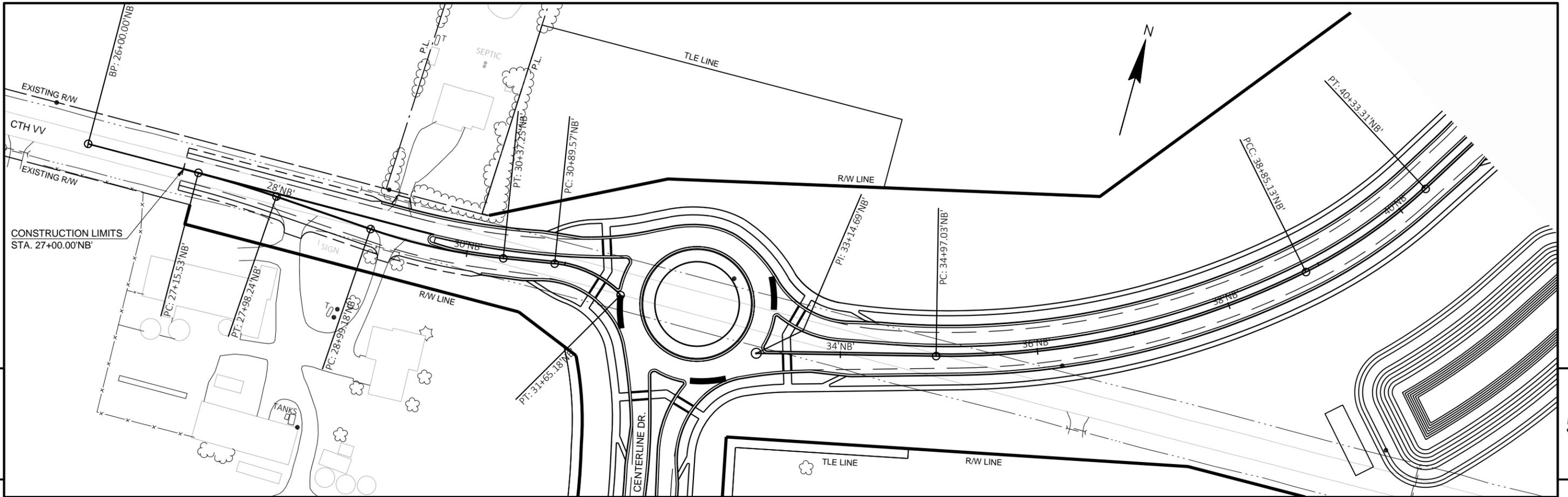
NOT RECOMMENDED BY WISDOT

MARLEY ST

PROPOSED STREET LAYOUT  
PER VILLAGE OF HOWARD

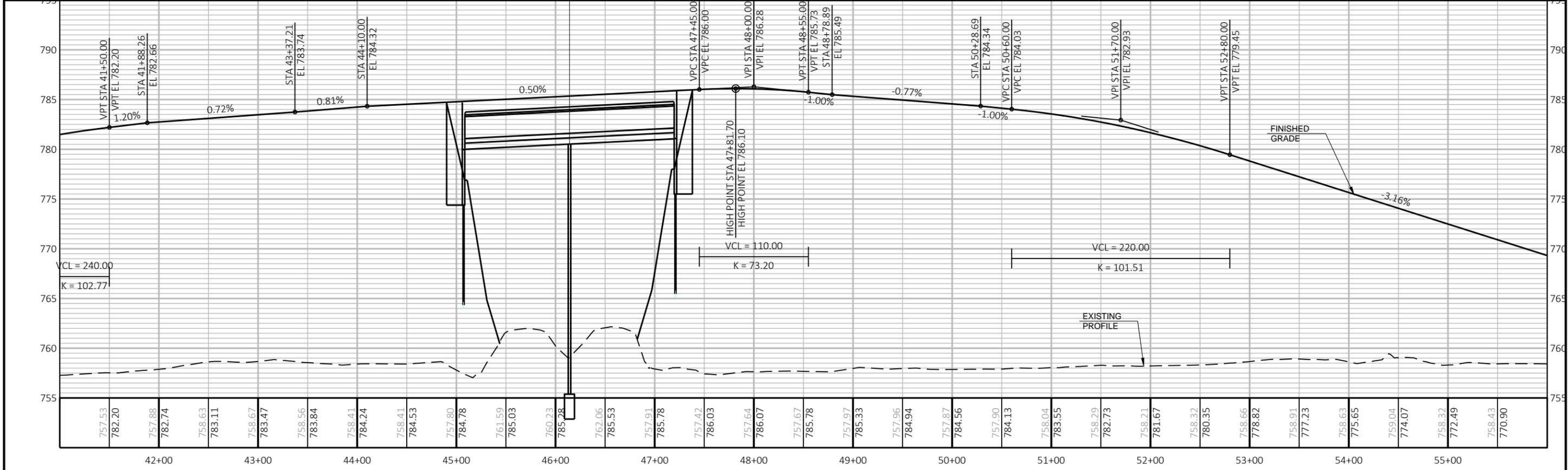
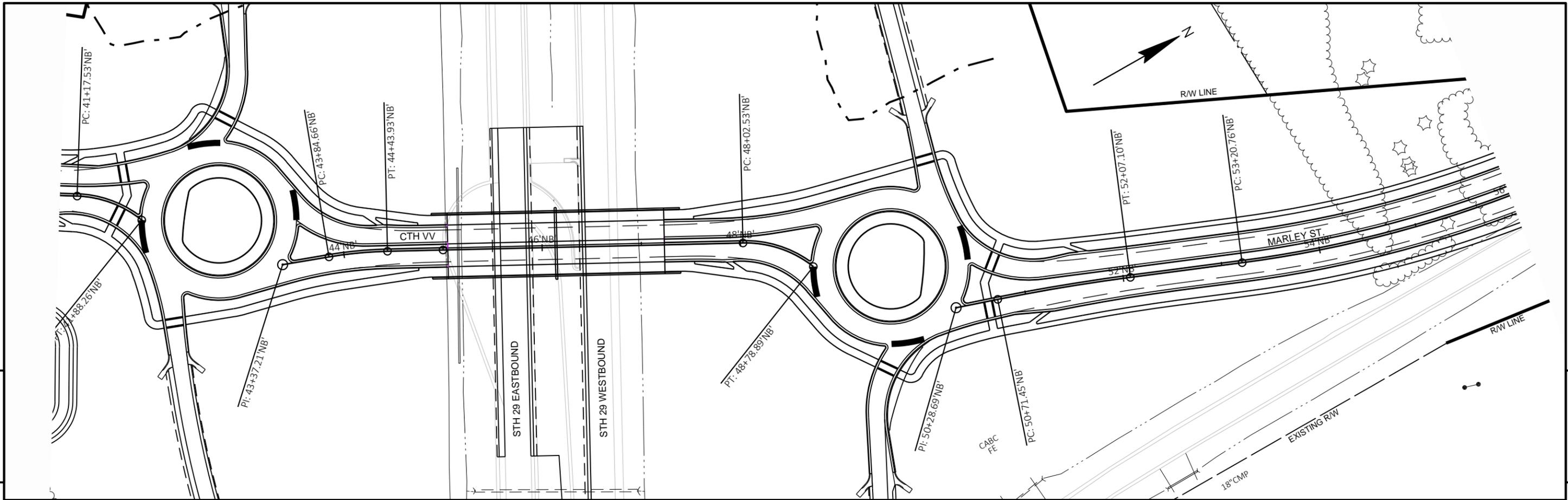
PROPOSED STREET LAYOUT  
PER VILLAGE OF HOWARD

APPENDIX 3  
Preliminary Plans  
Existing and Proposed Typical Sections

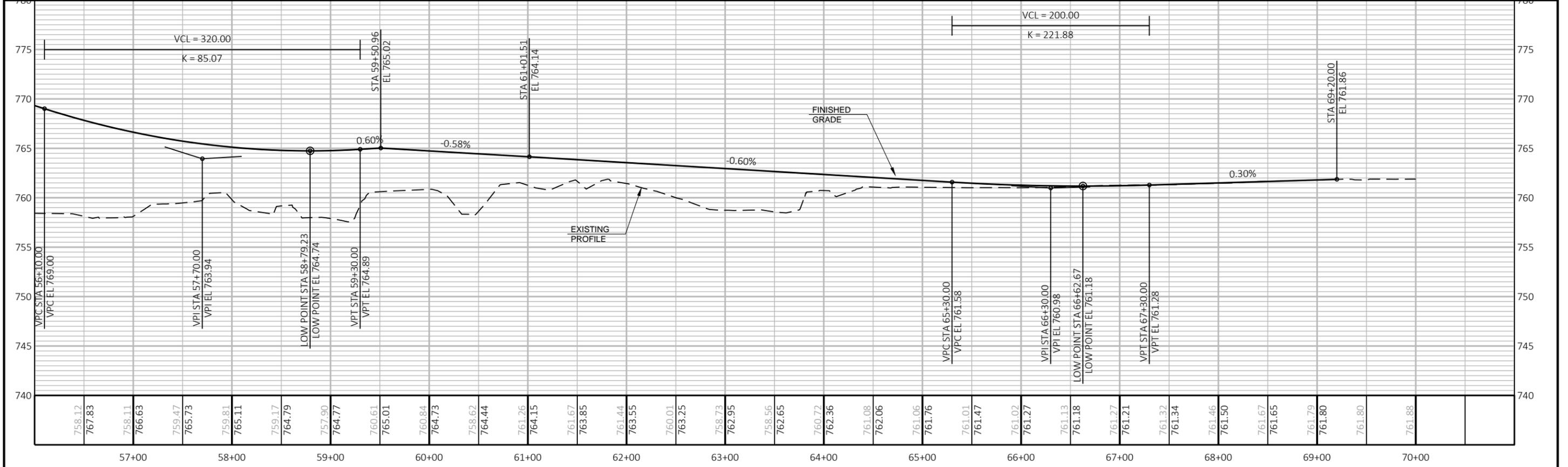
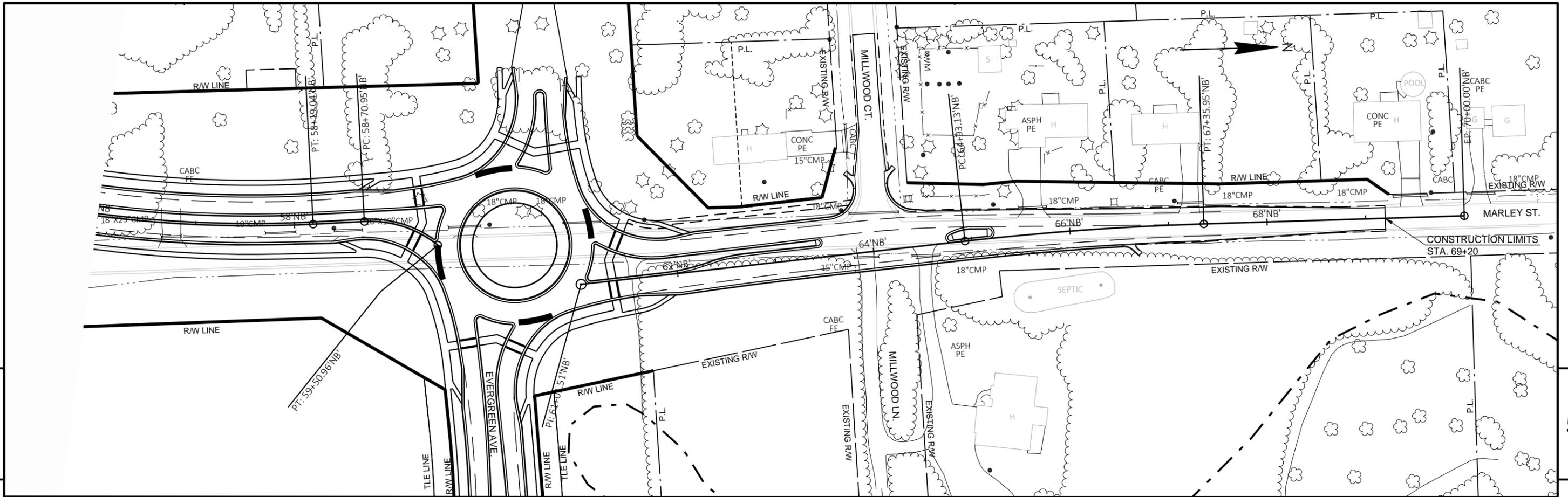


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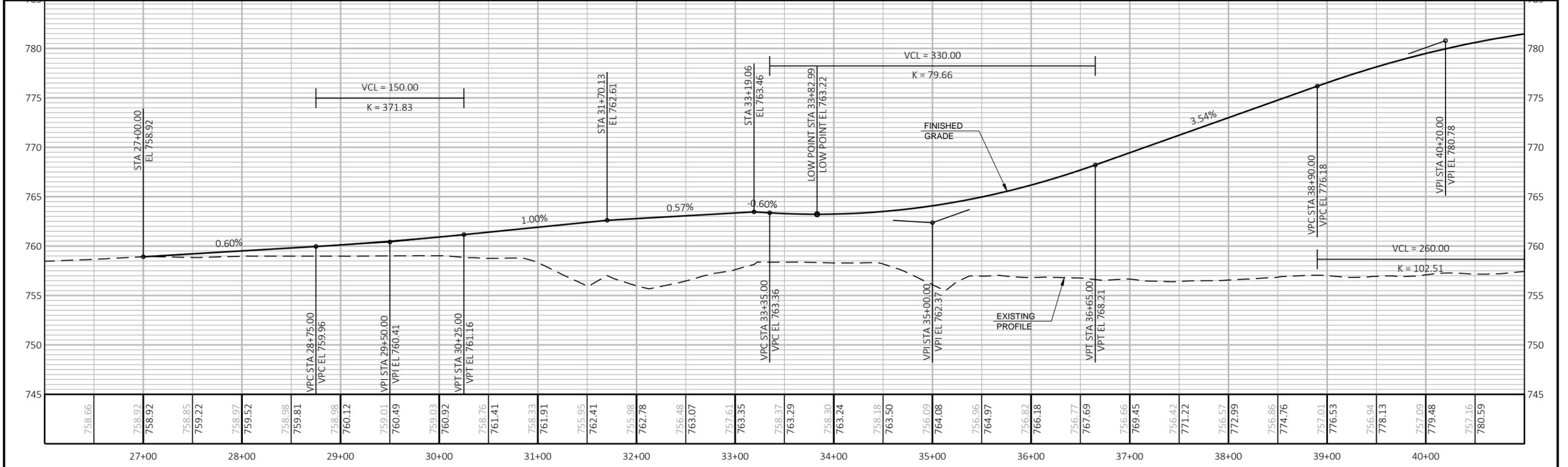
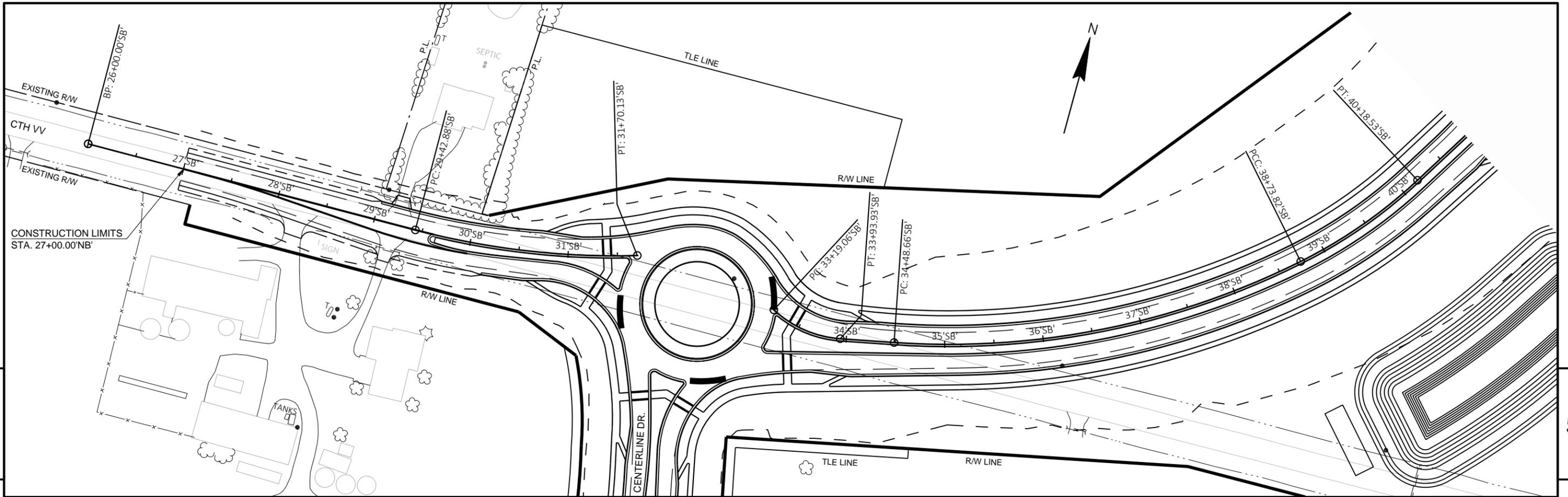
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PROJECT NO: 9200-10-71	HWY: STH 29	COUNTY: BROWN	PLAN AND PROFILE: CTH VV/MARLEY ST. NORTHBOUND	SHEET	E
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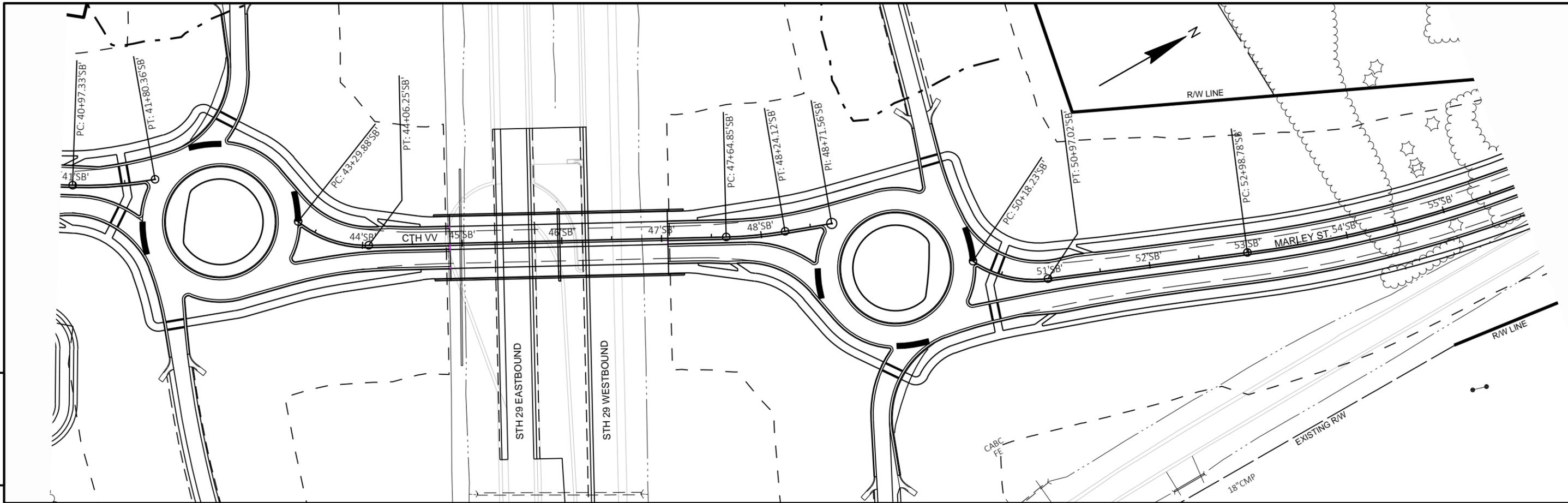


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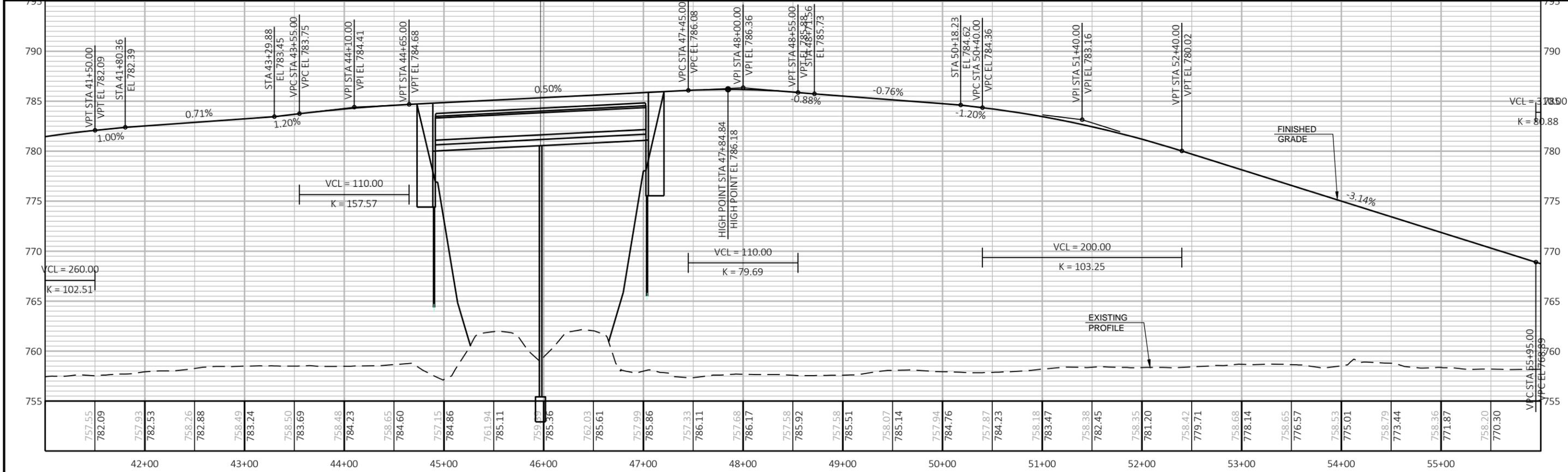


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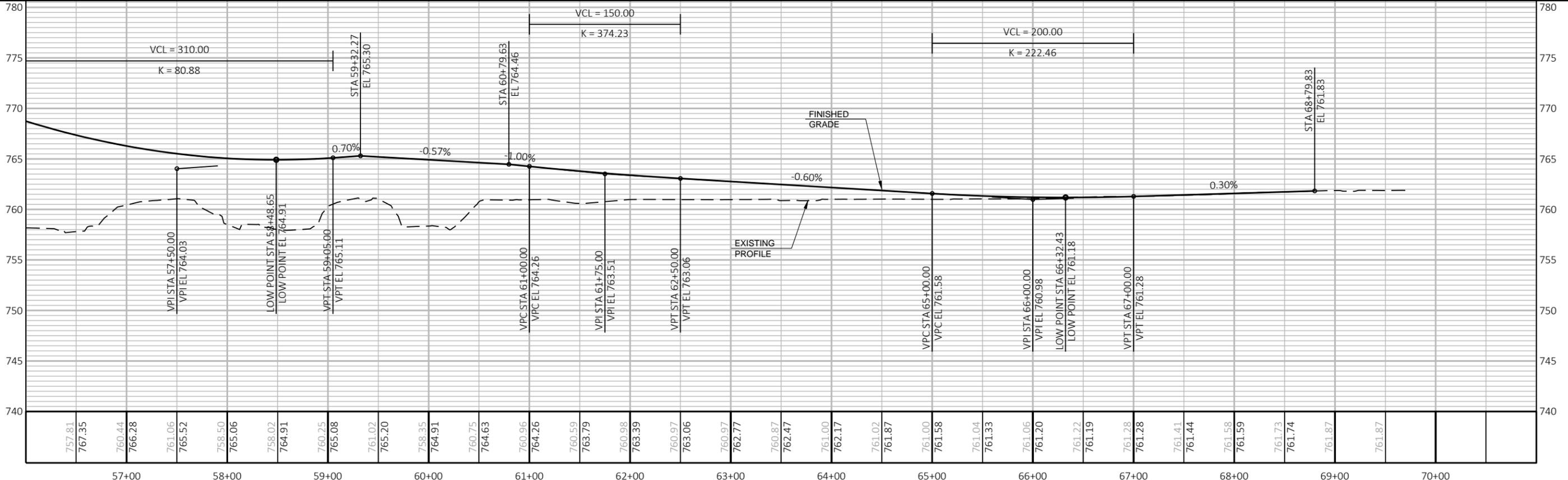
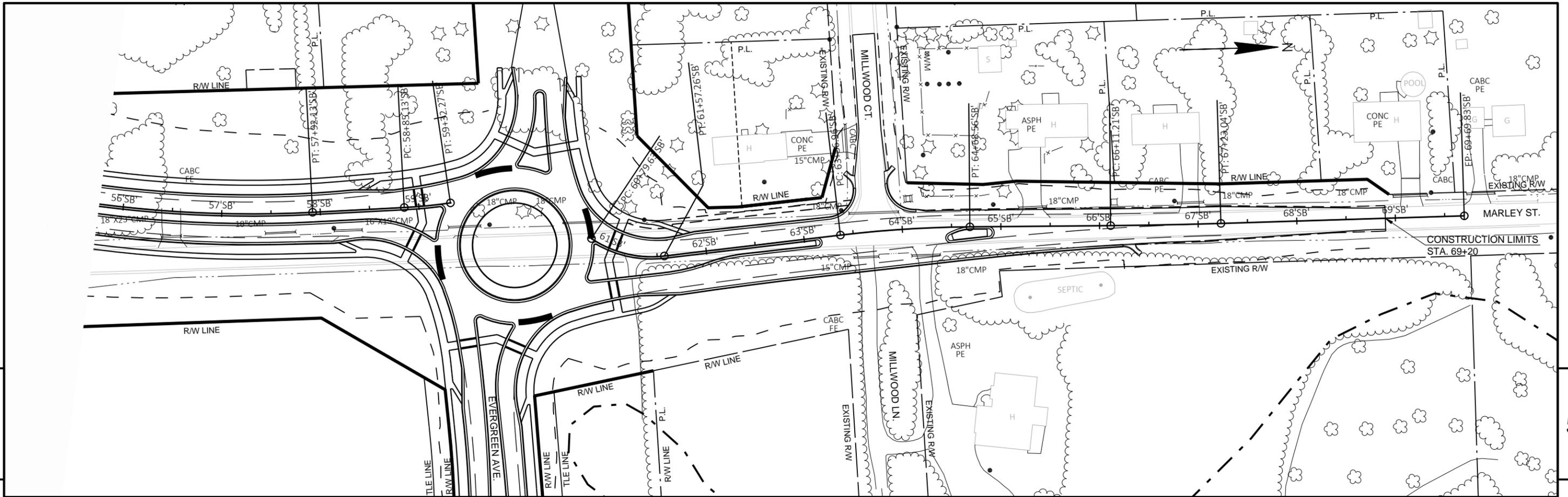
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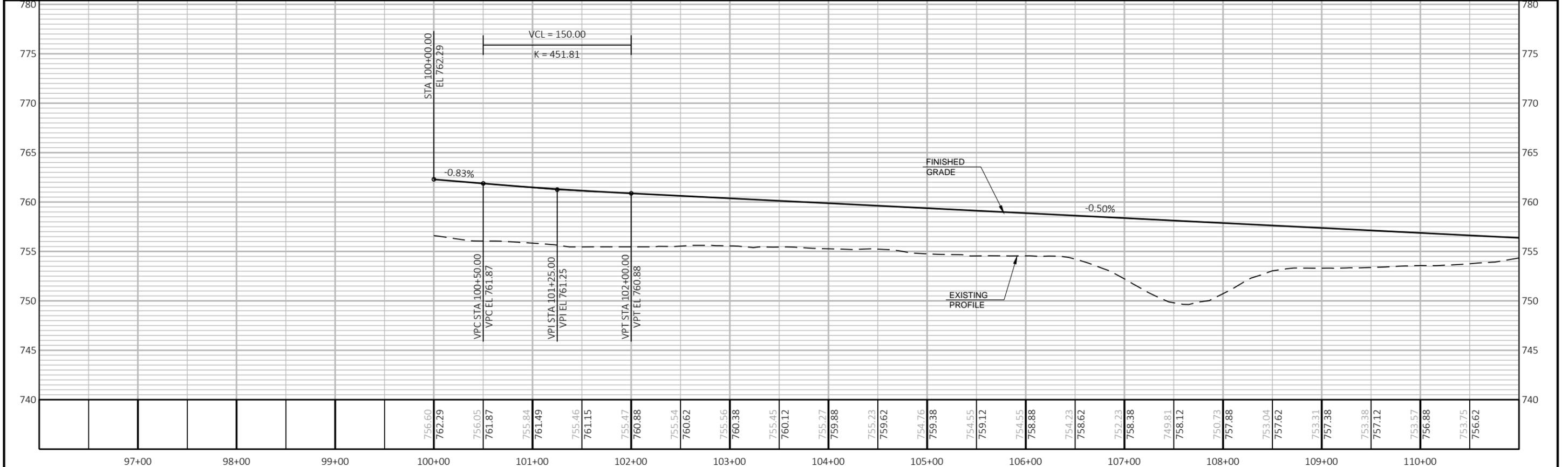
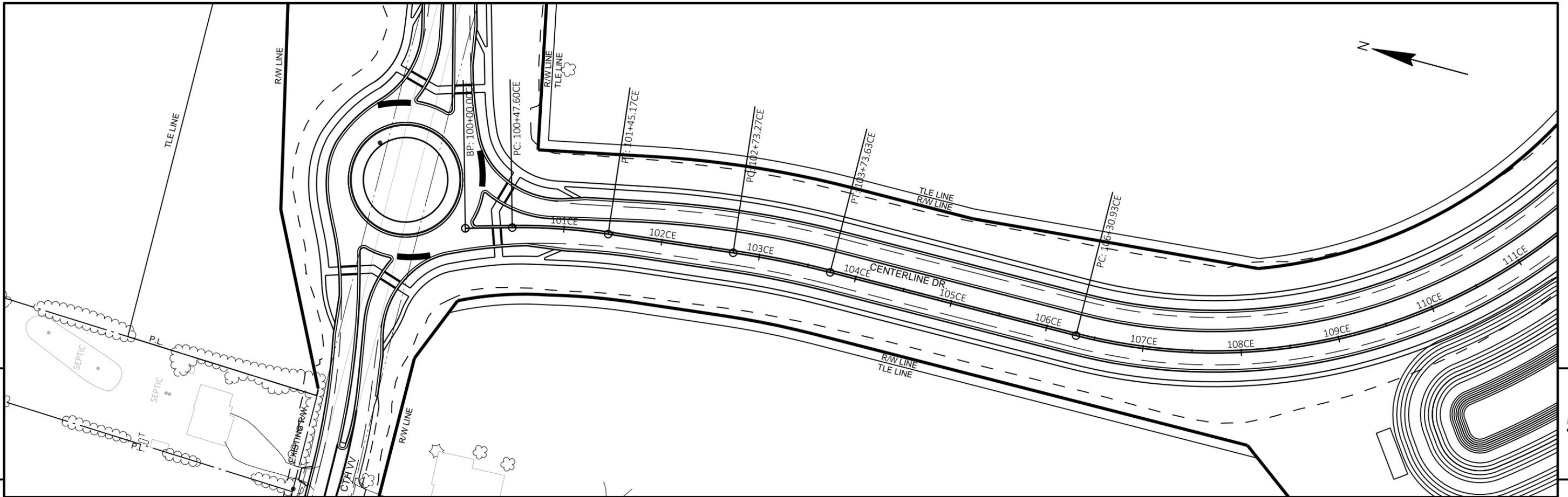
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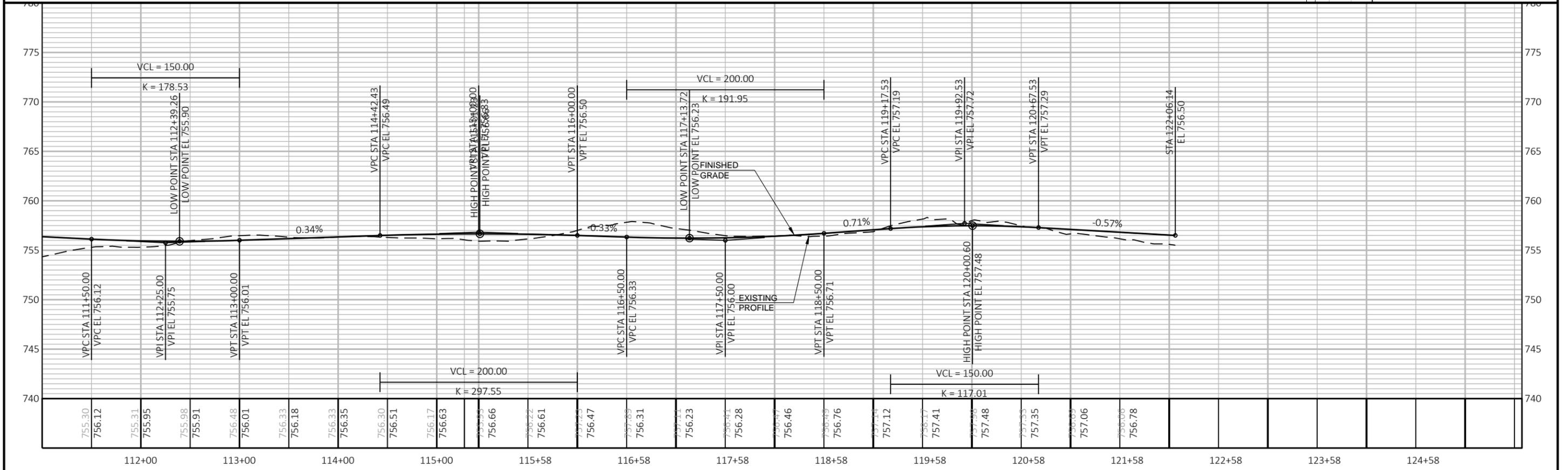
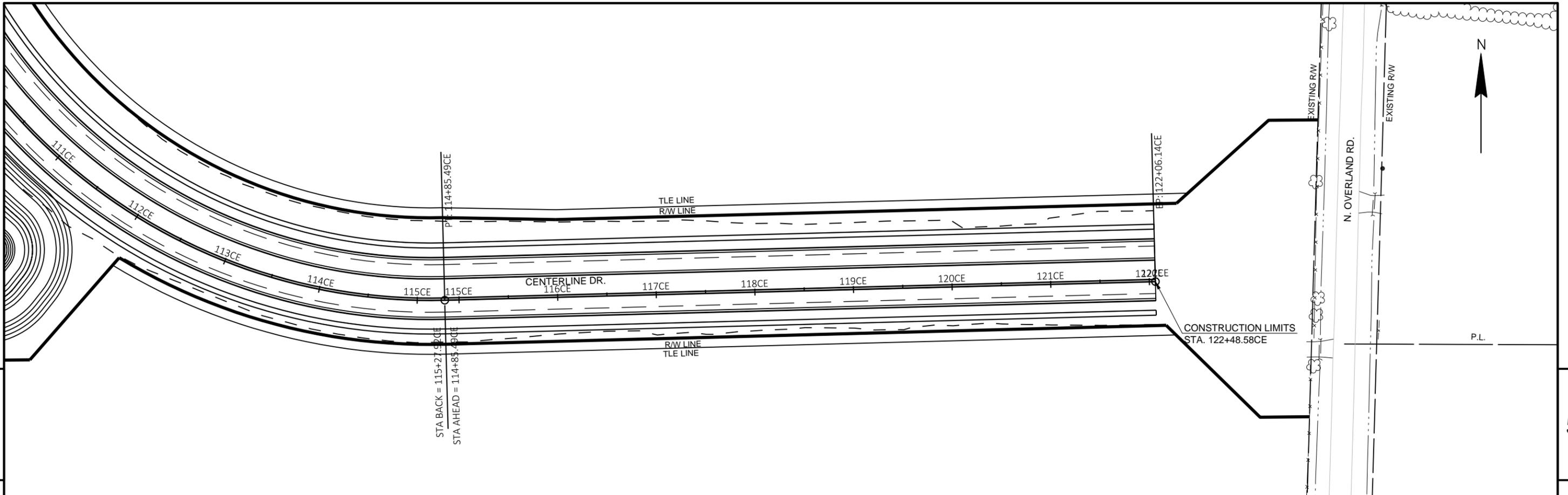
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PROJECT NO: 9200-10-71	HWY: STH 29	COUNTY: BROWN	PLAN AND PROFILE: MARLEY ST. SOUTHBOUND	SHEET 5
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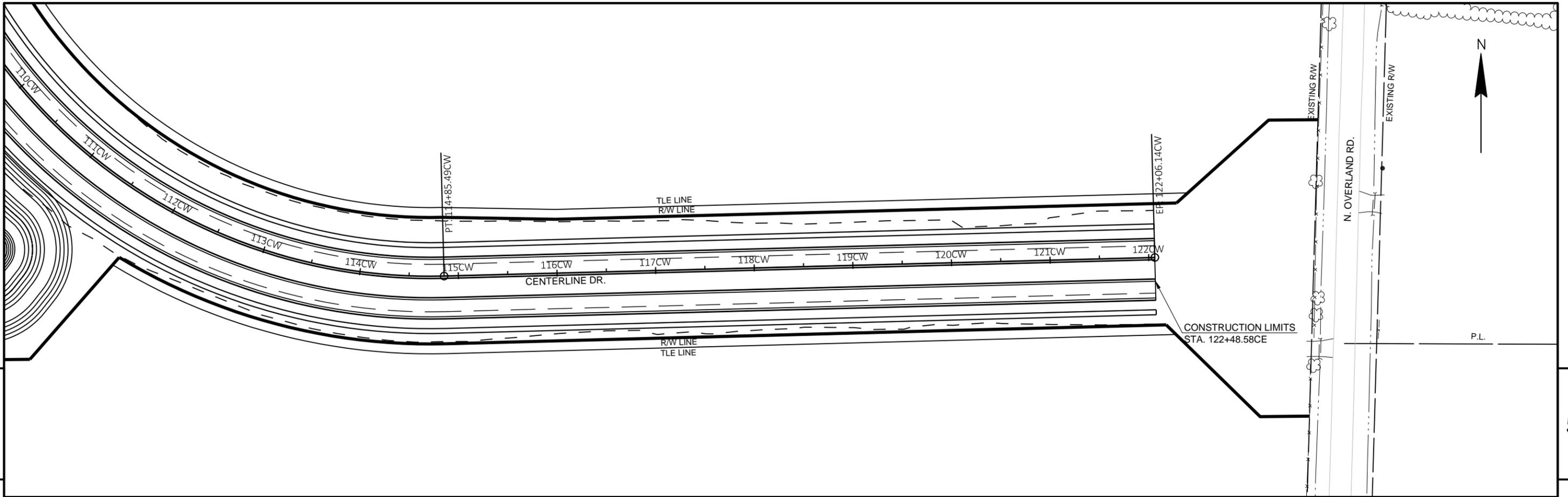


PROJECT NO: 9200-10-71      HWY: STH 29      COUNTY: BROWN      PLAN AND PROFILE: CENTERLINE DR. EASTBOUND      SHEET: E



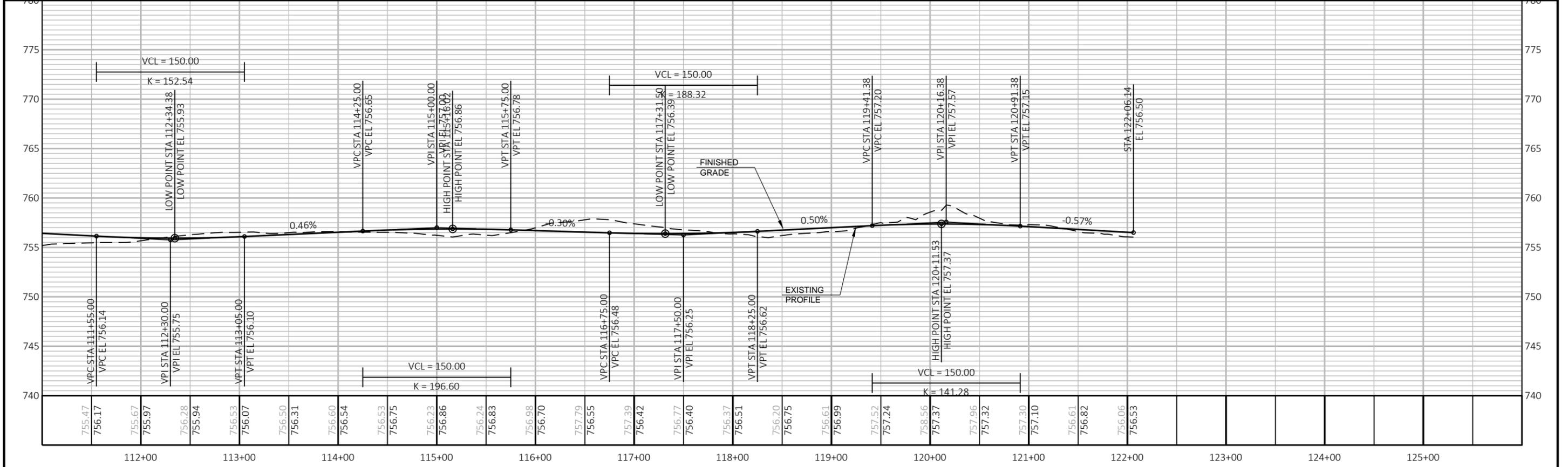
PROJECT NO: 9200-10-71 | HWY: STH 29 | COUNTY: BROWN | PLAN AND PROFILE: CENTERLINE DR. EASTBOUND | SHEET | E



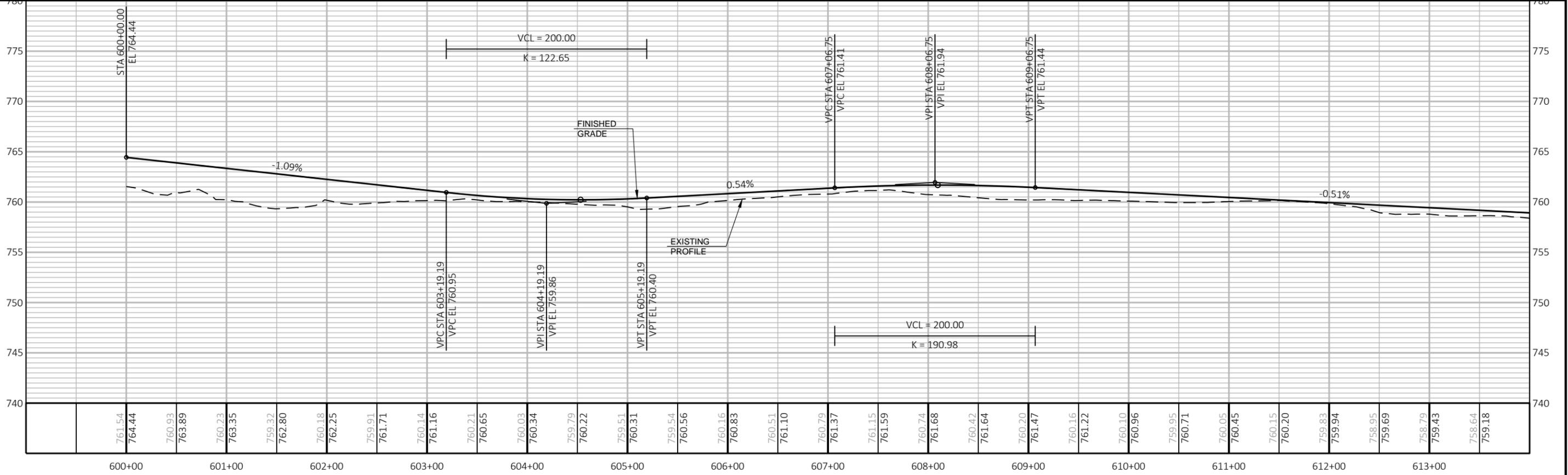
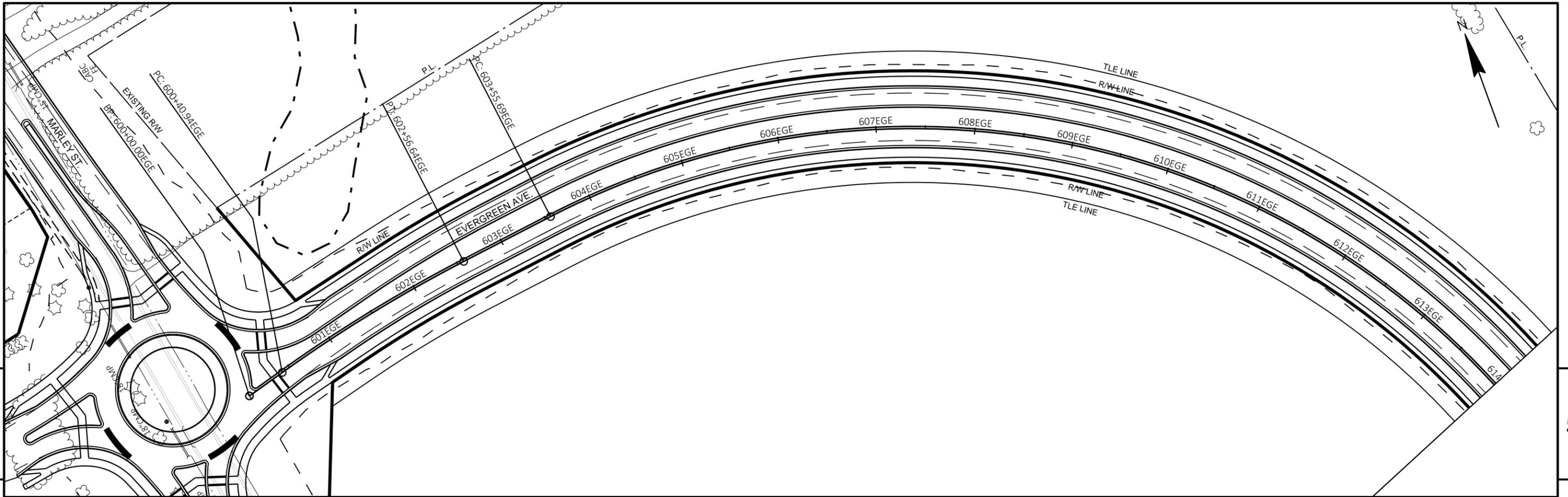


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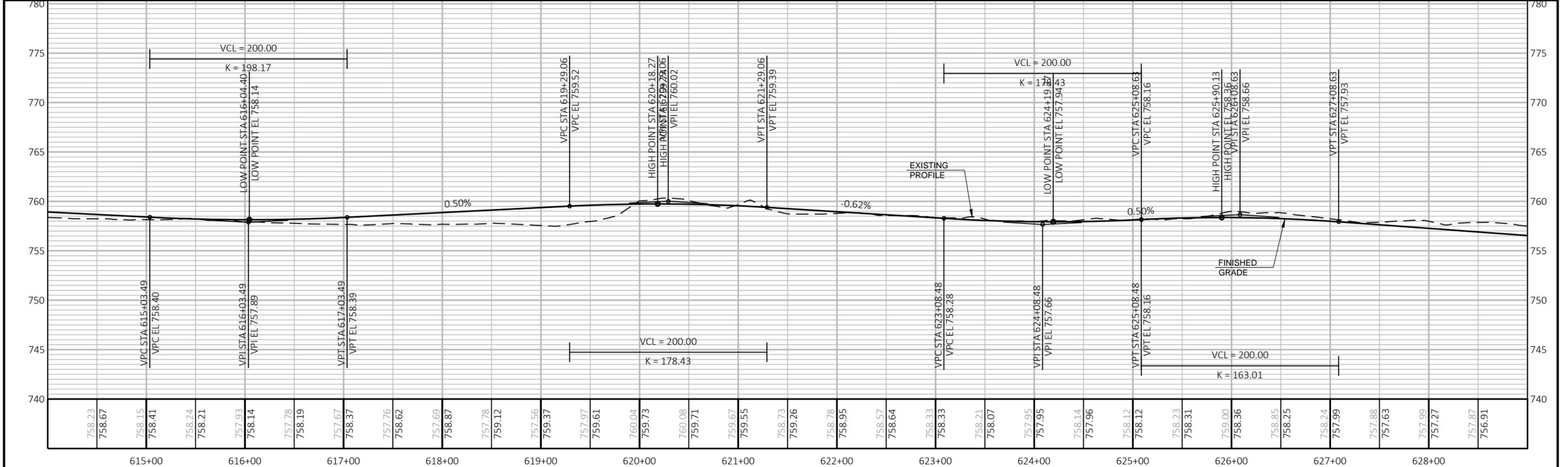
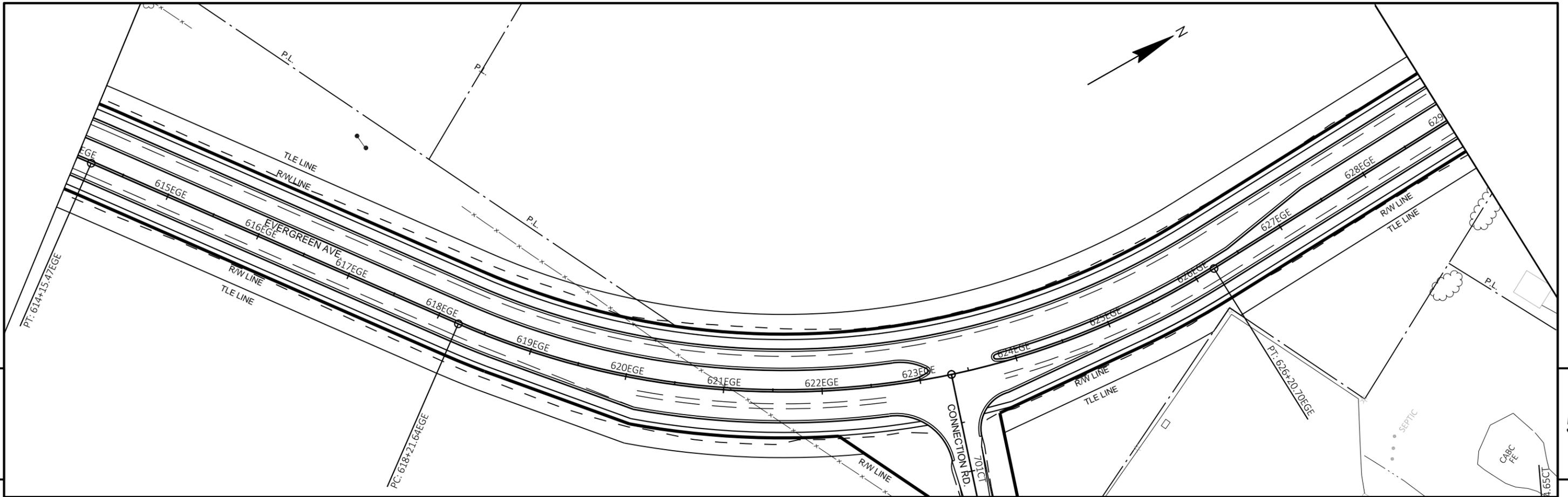
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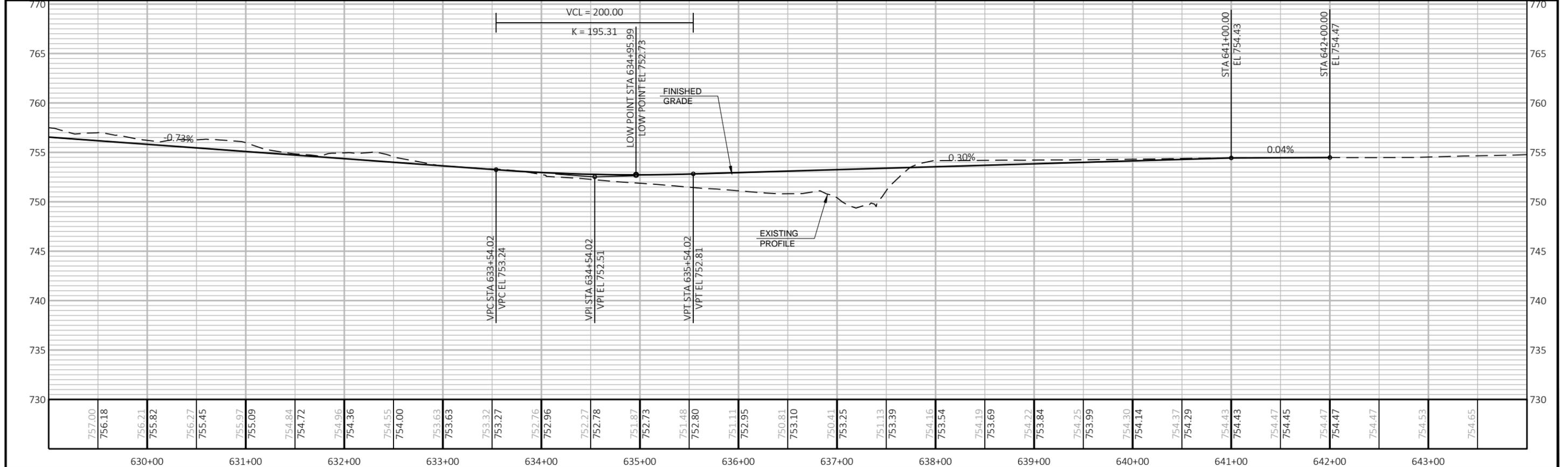
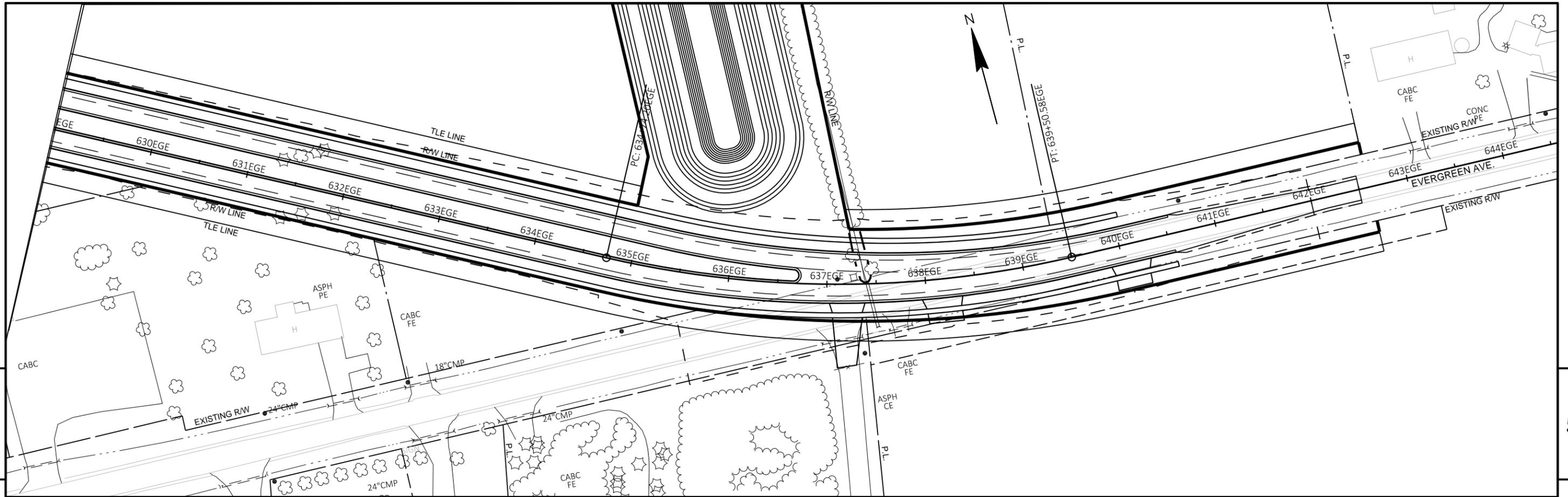
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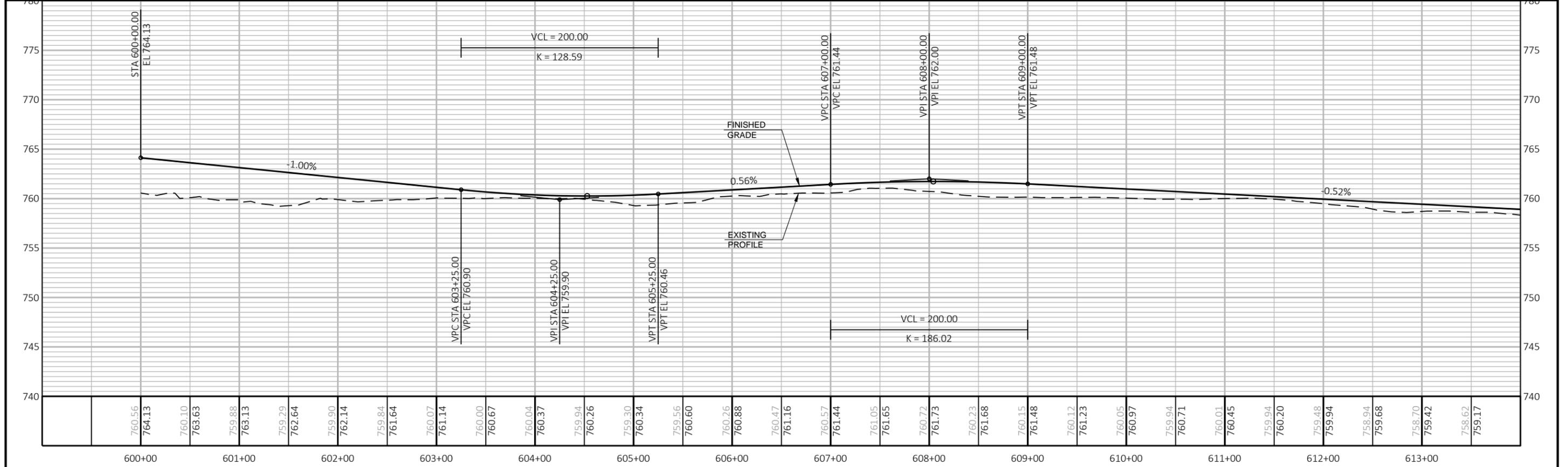
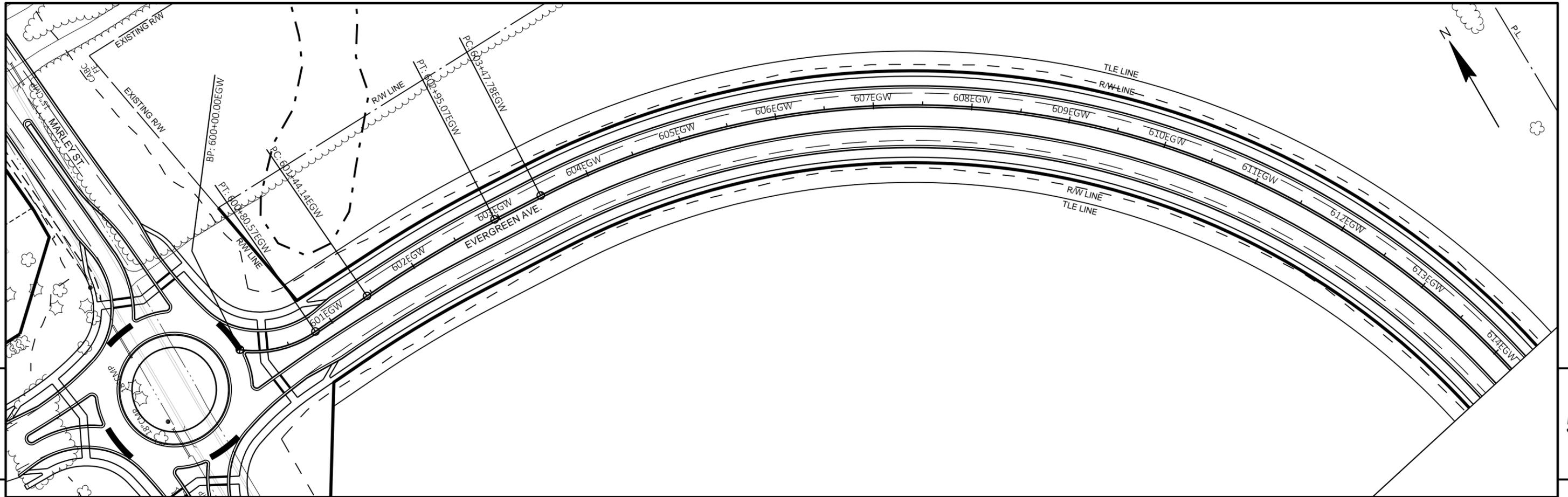
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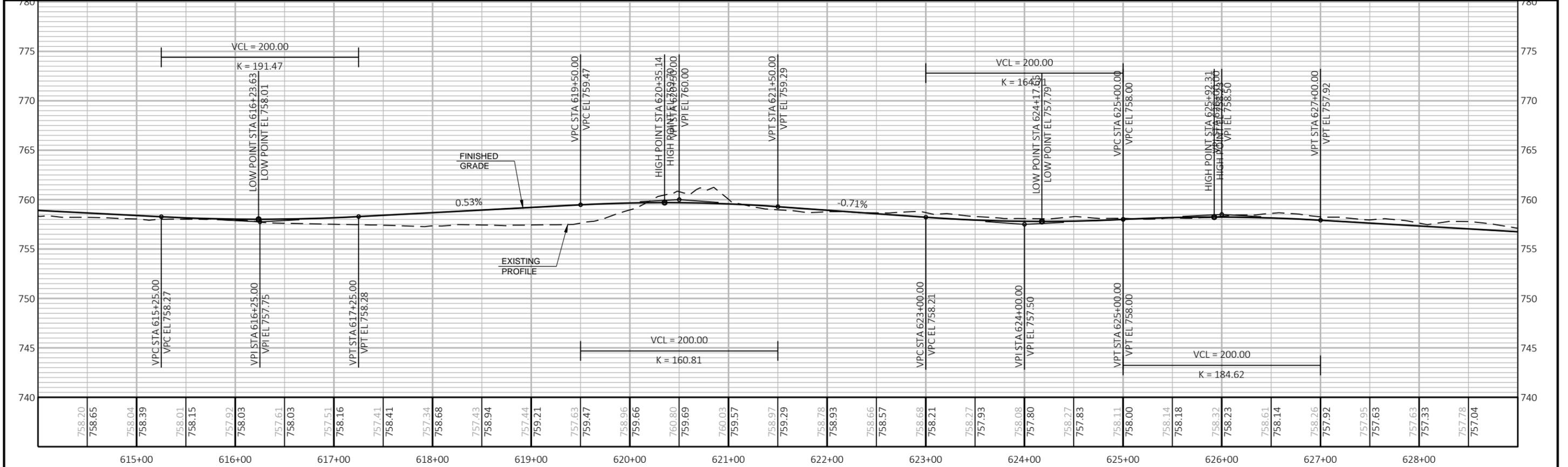
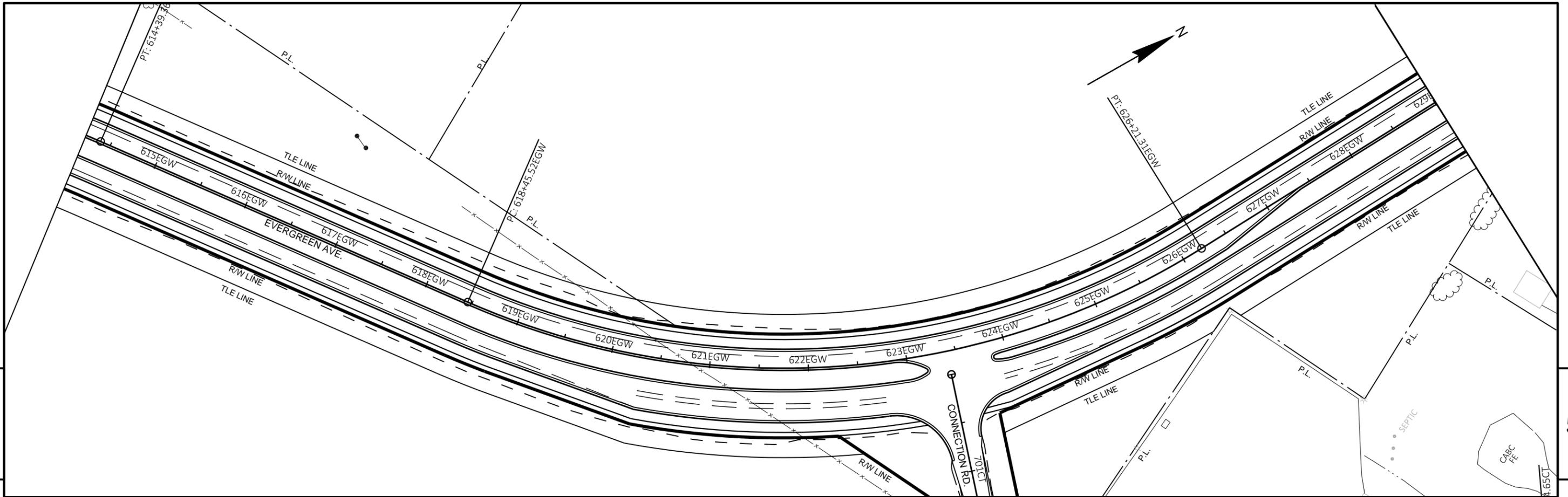
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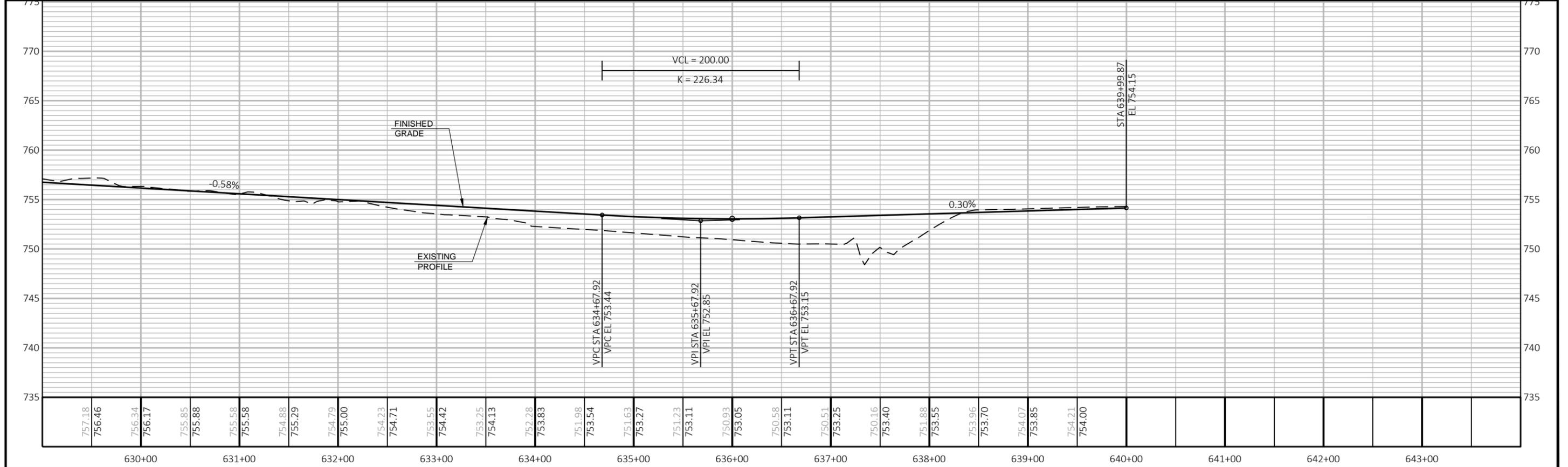
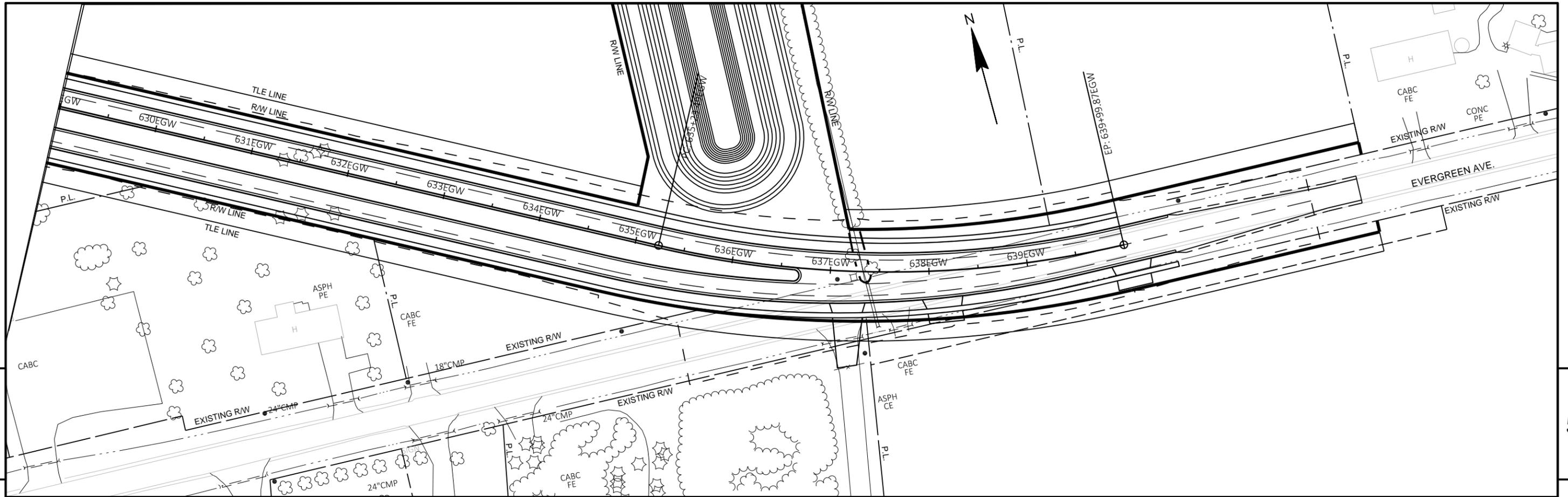
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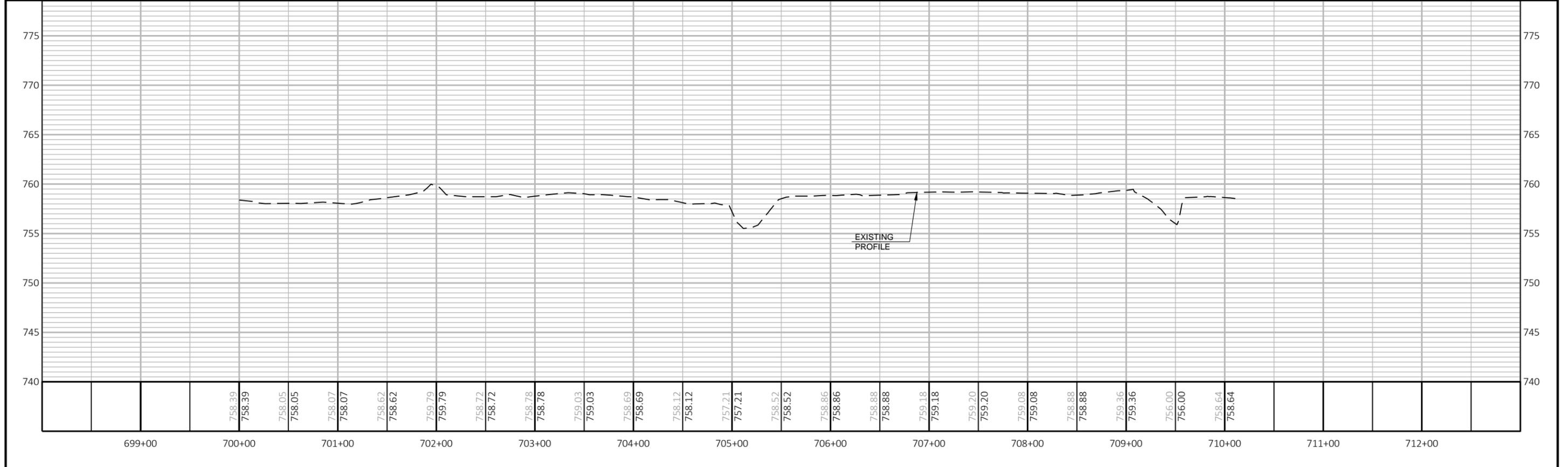
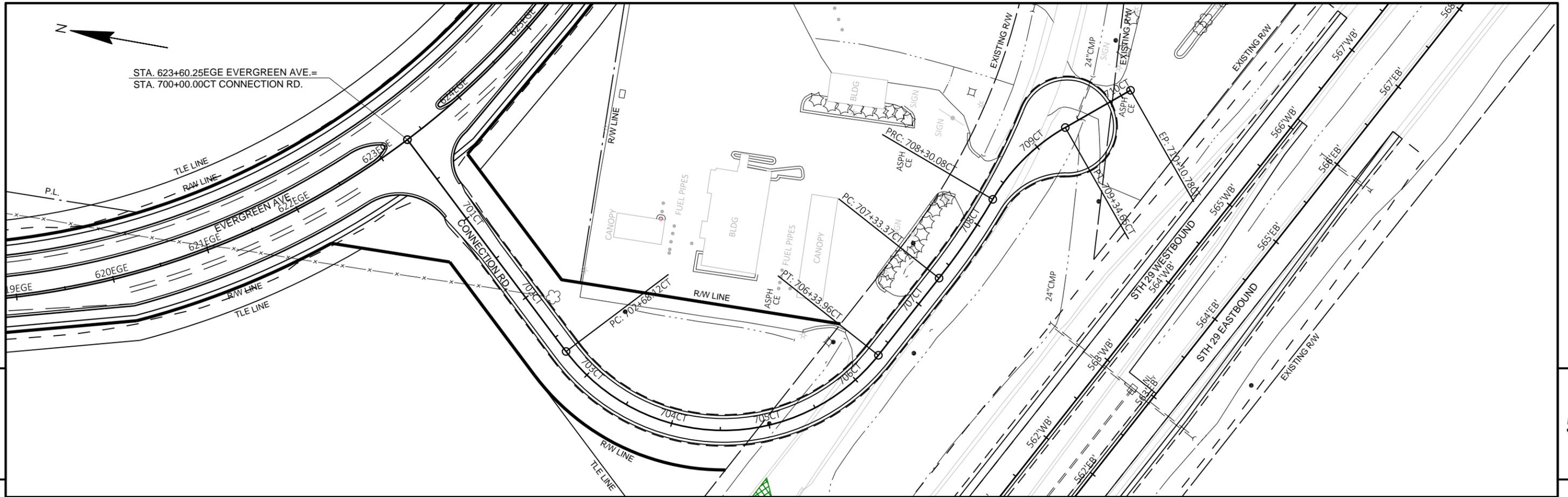
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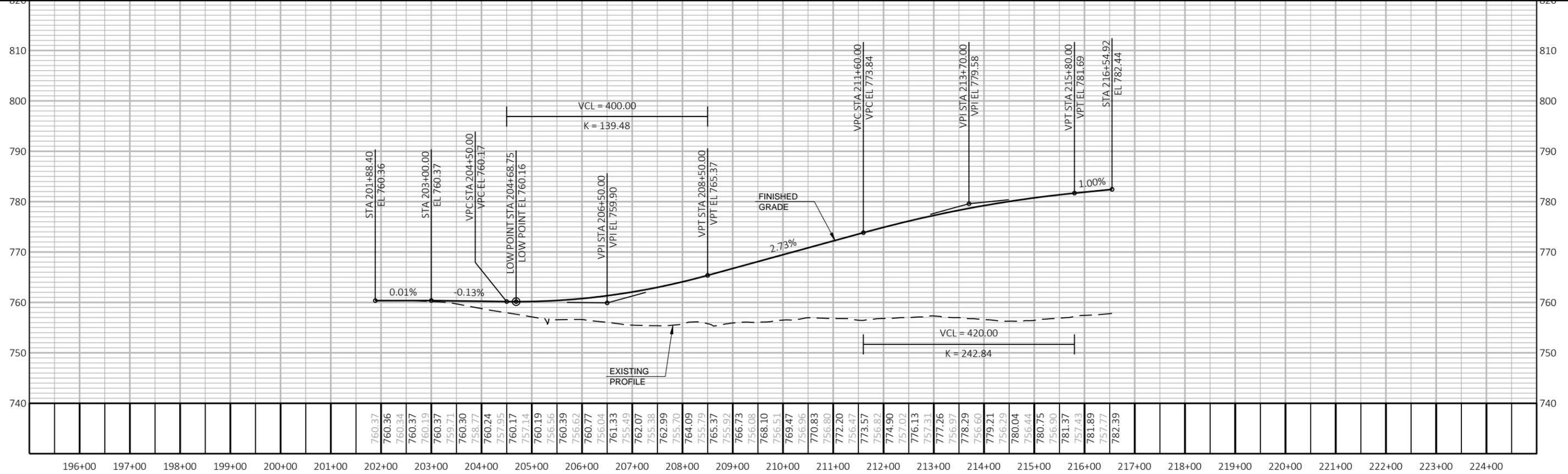
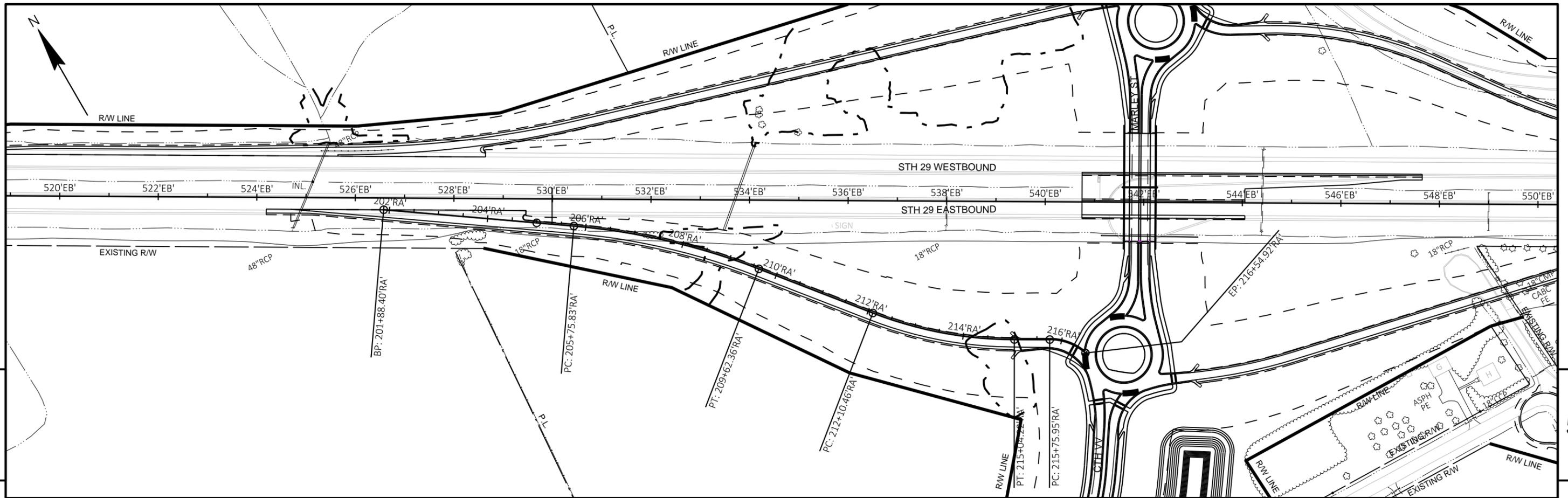


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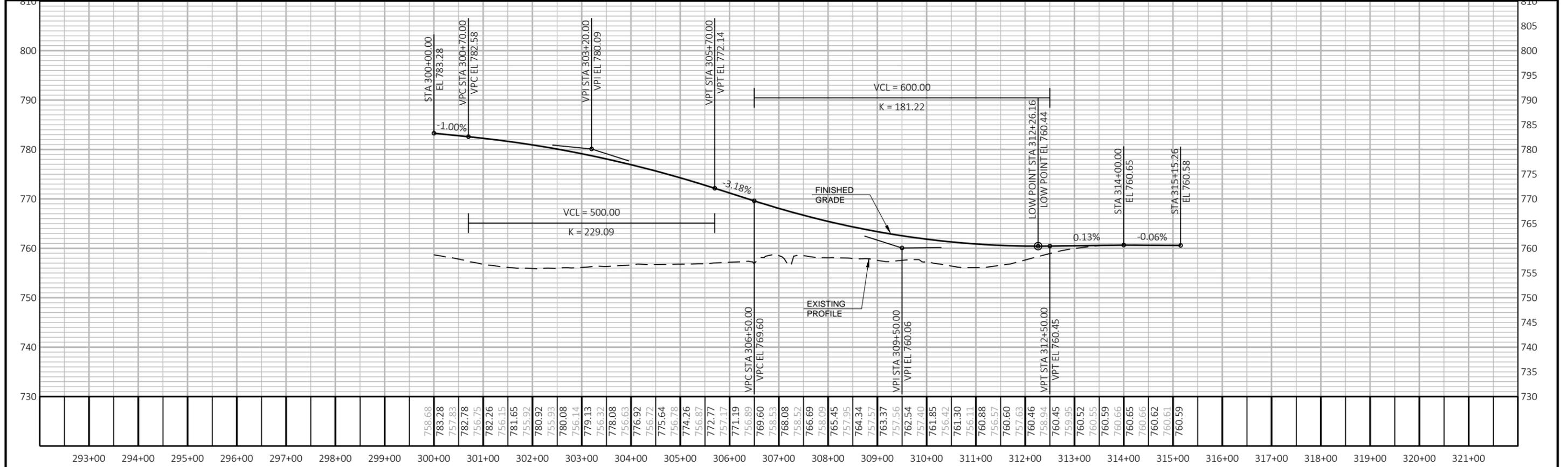
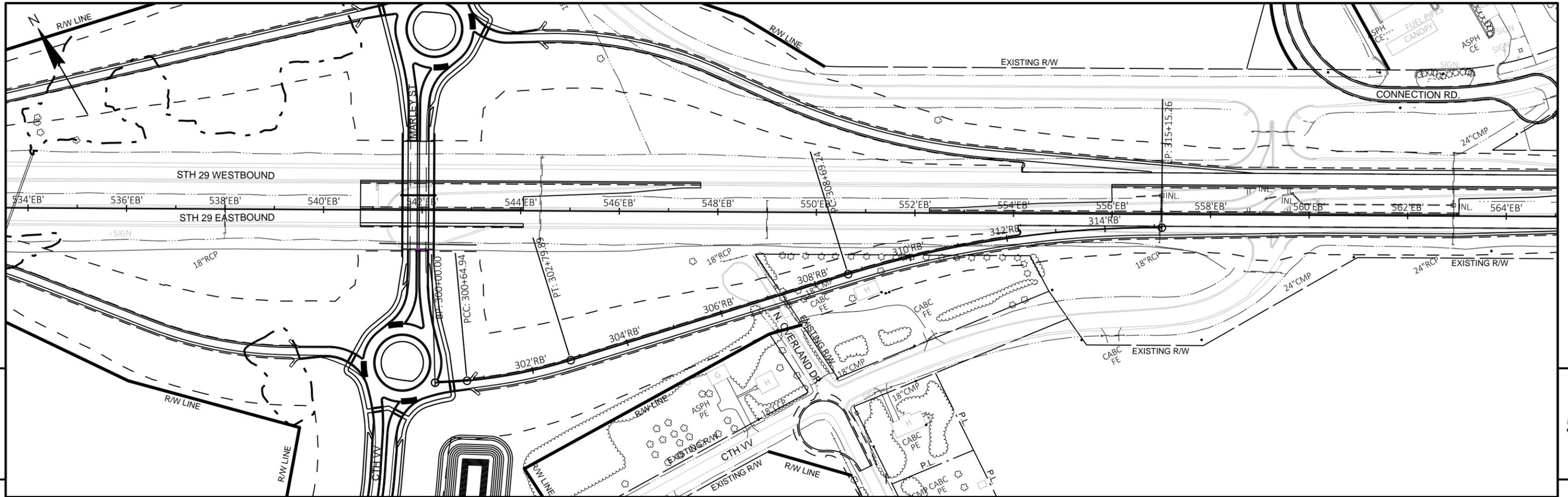


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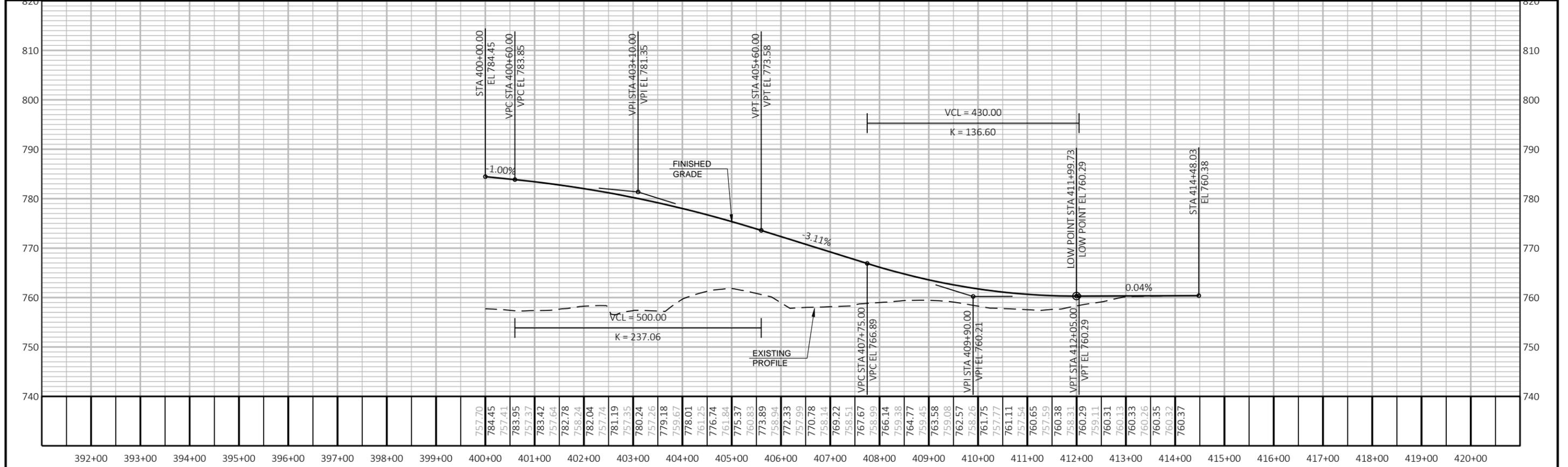
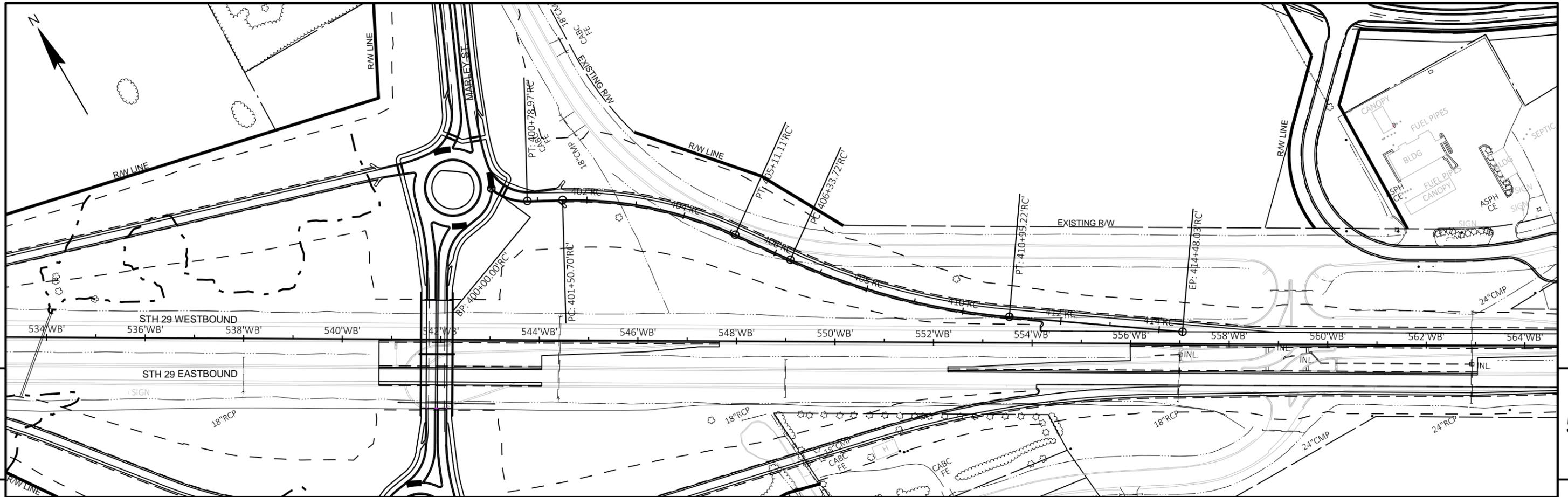


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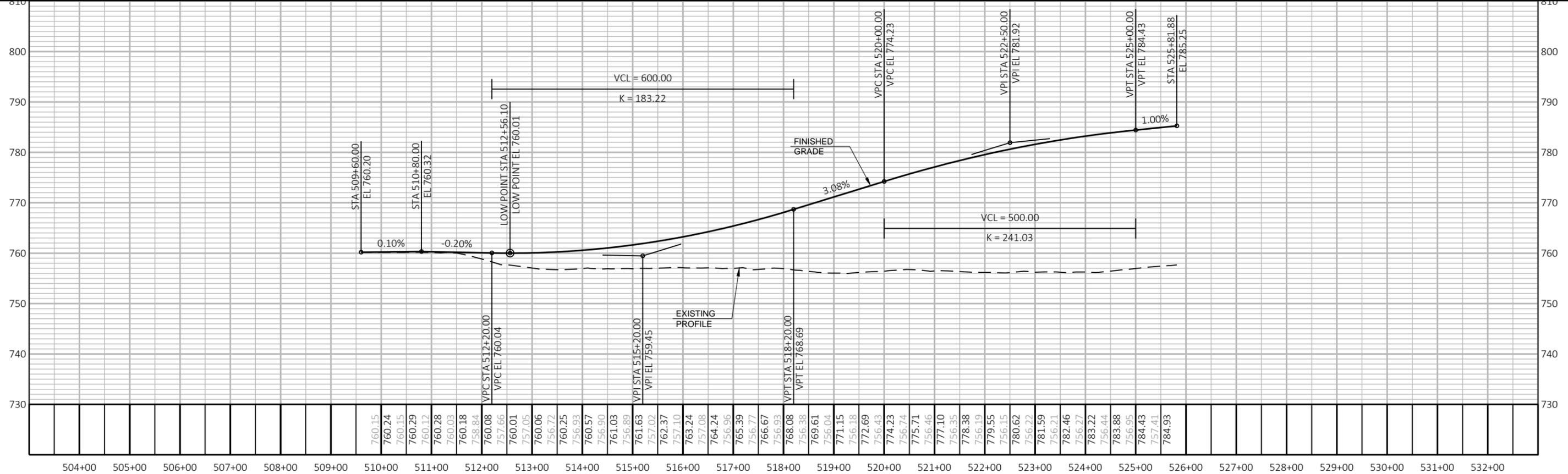
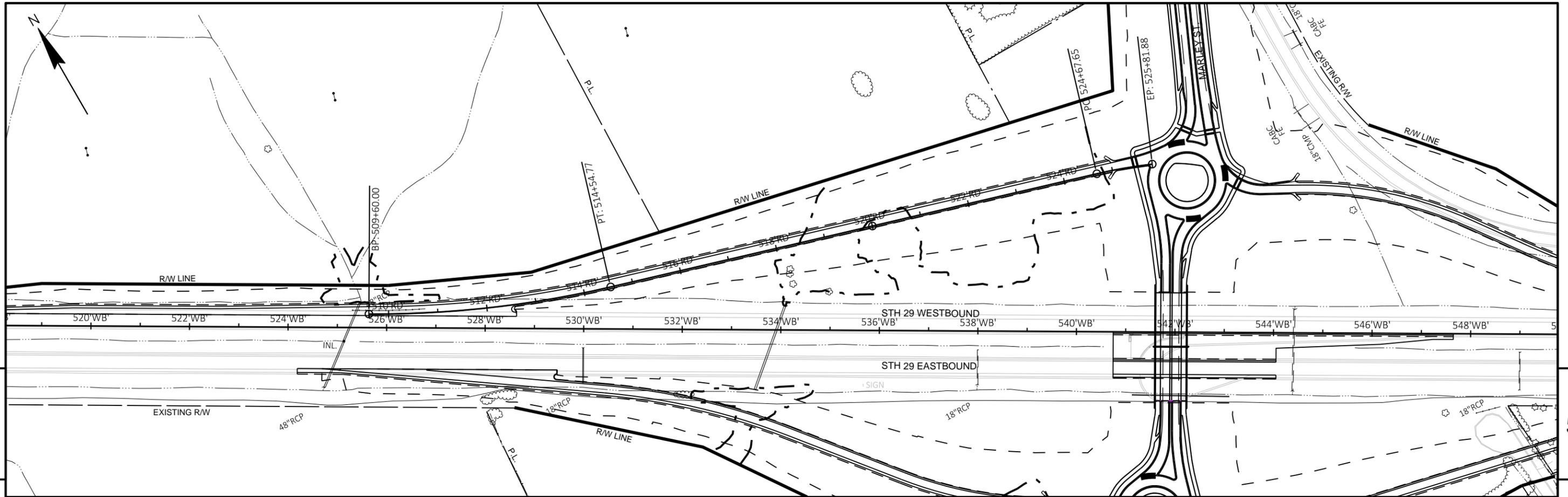


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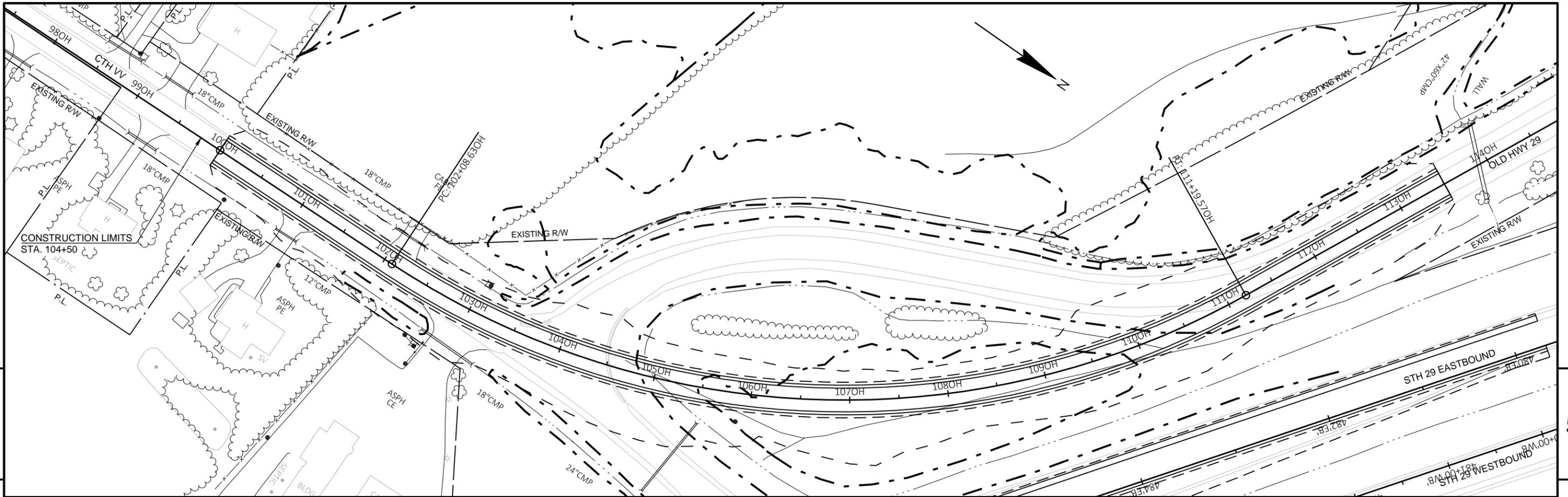
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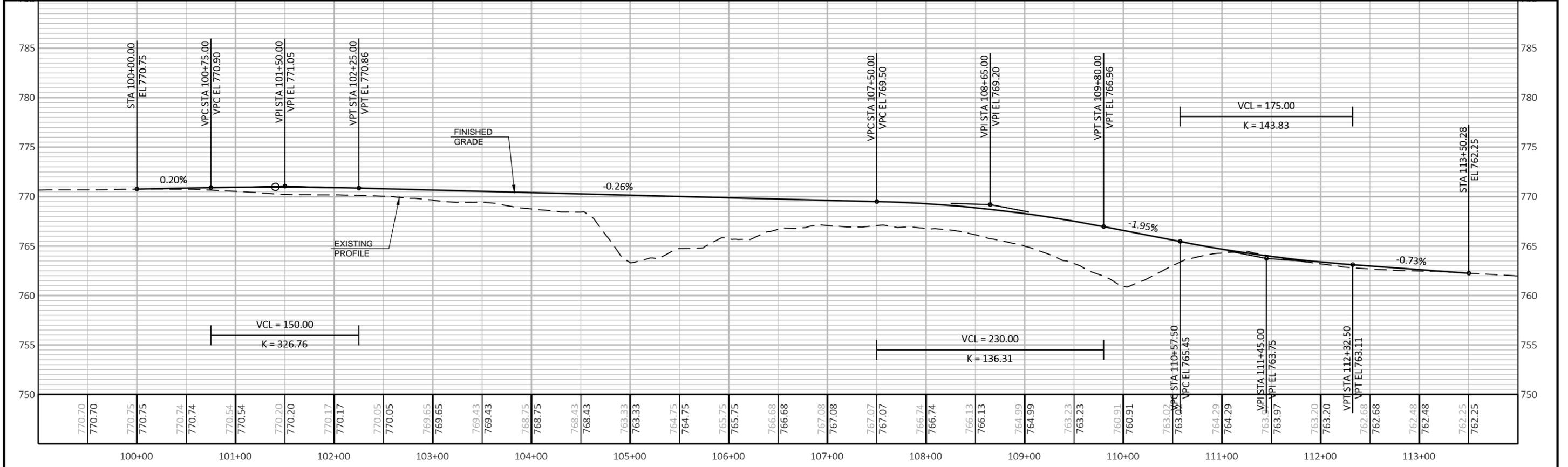


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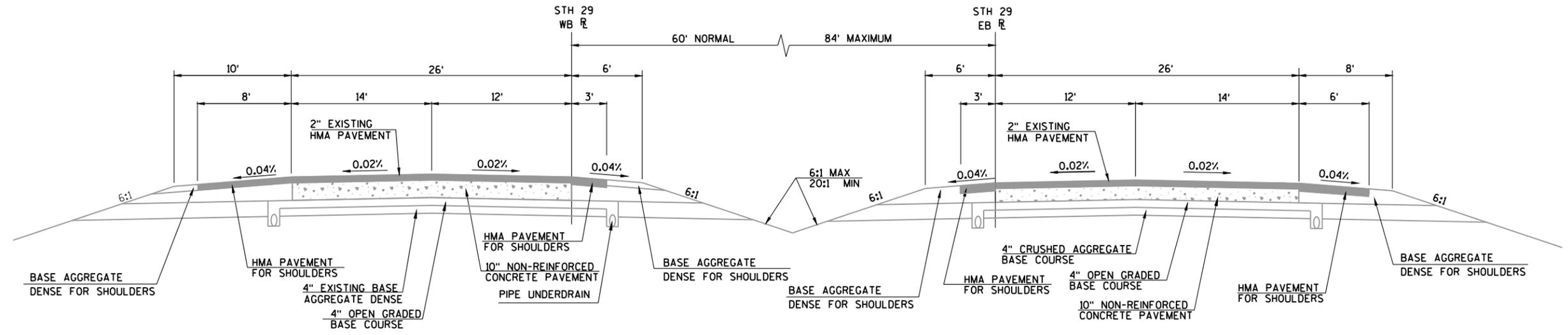
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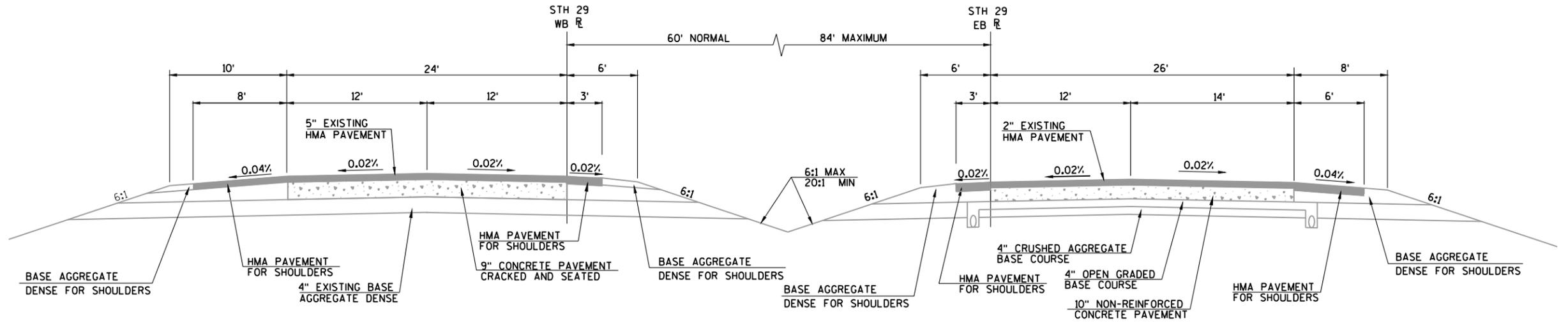


PROJECT NO: 9200-10-71      HWY: STH 29      COUNTY: BROWN      PLAN AND PROFILE: OLD HWY 29      SHEET      E

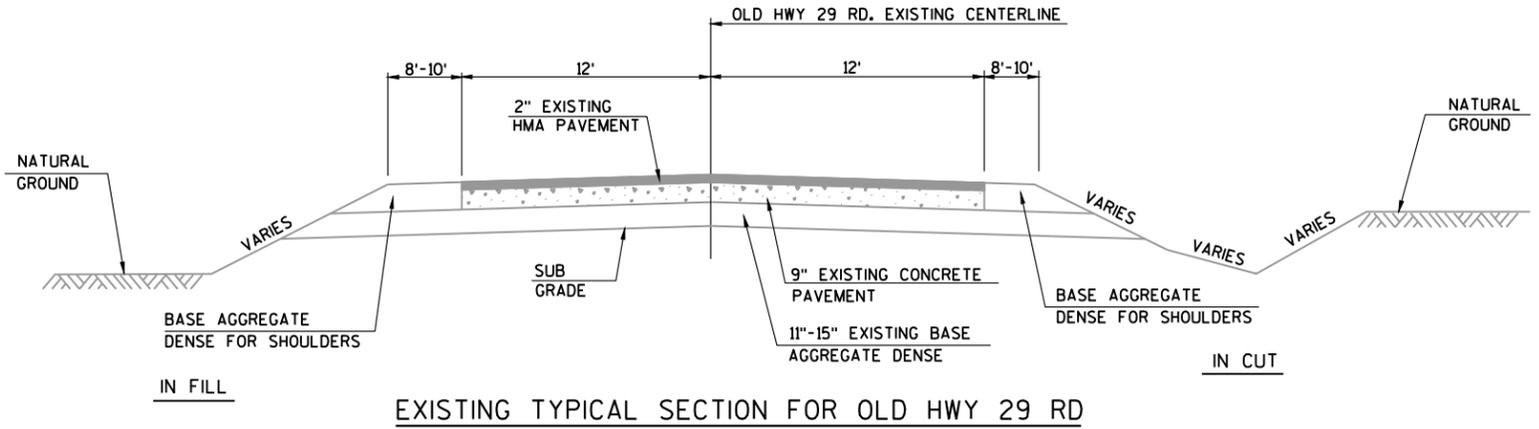
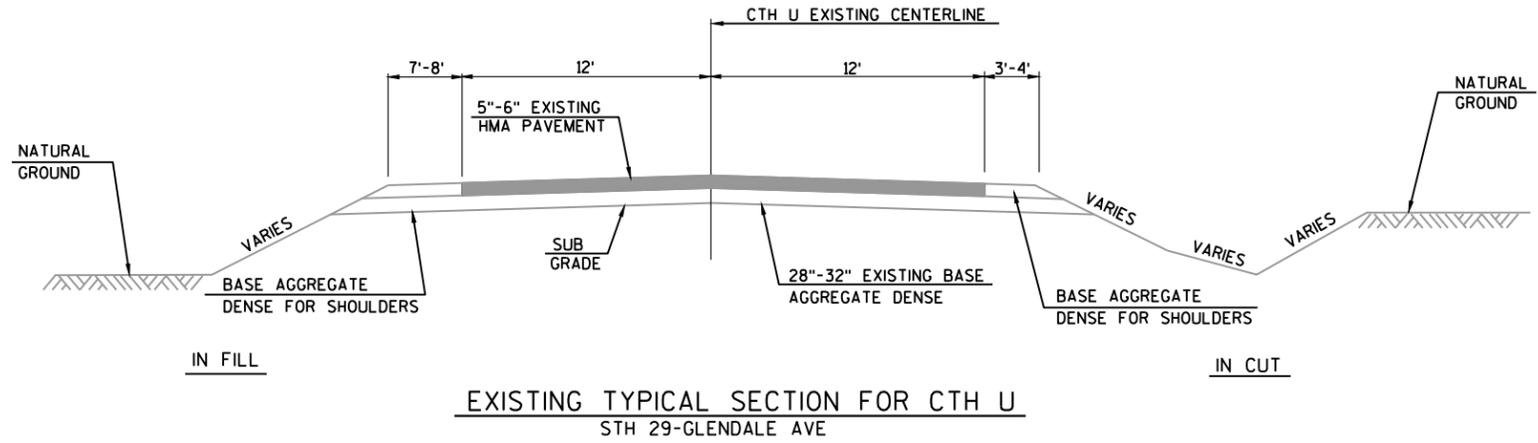
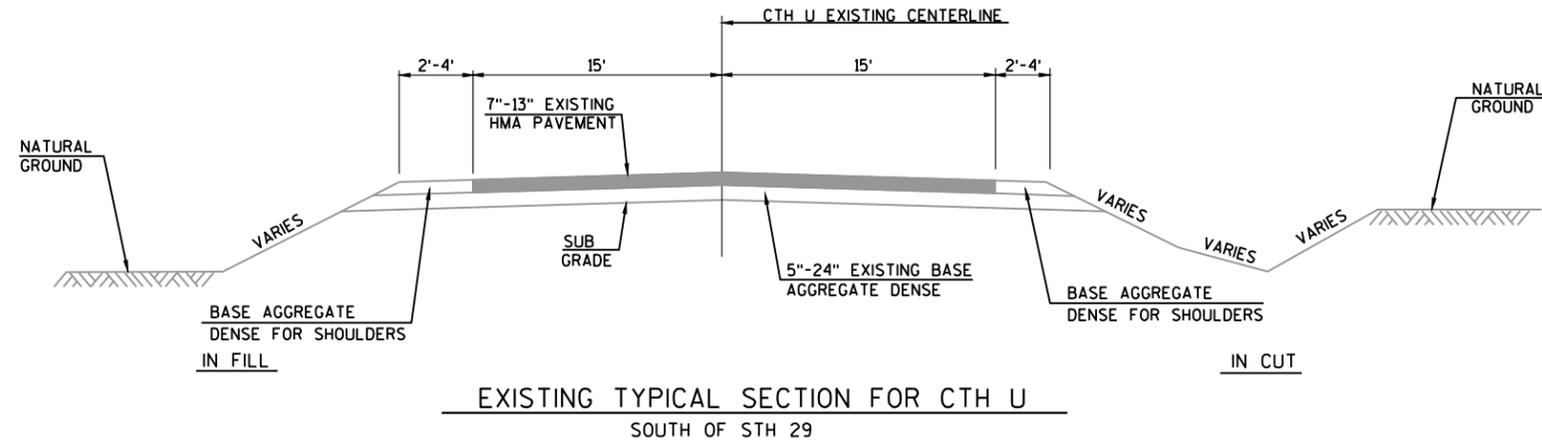
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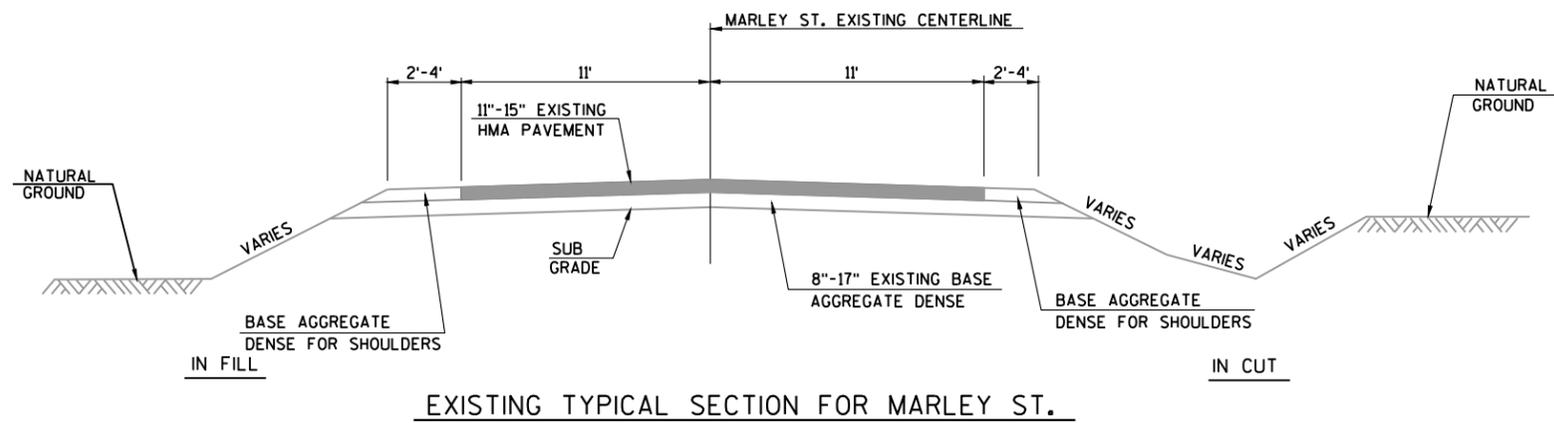
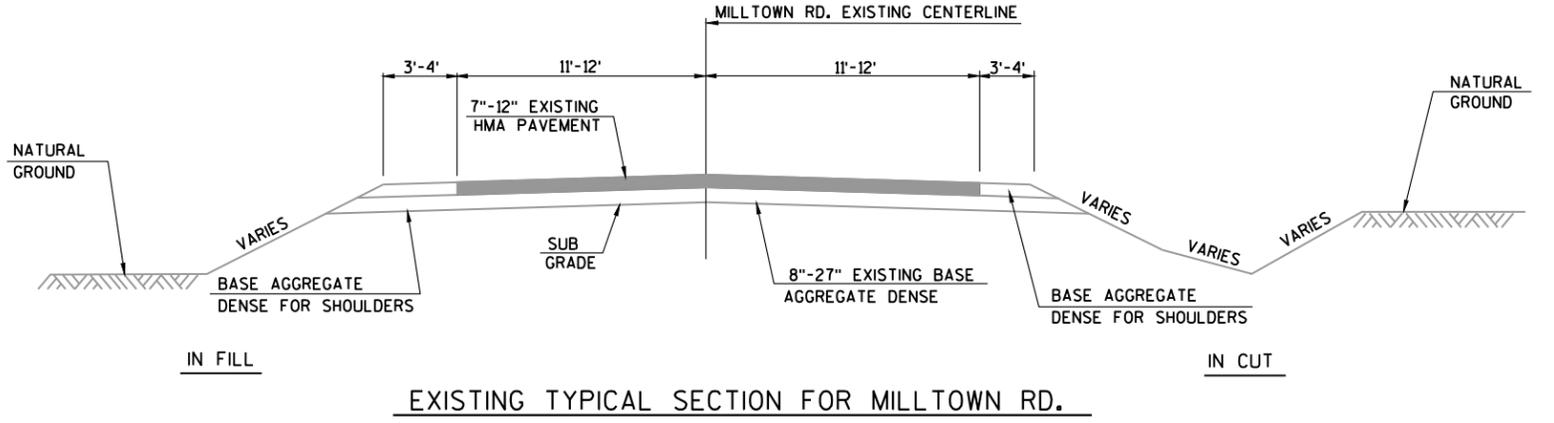
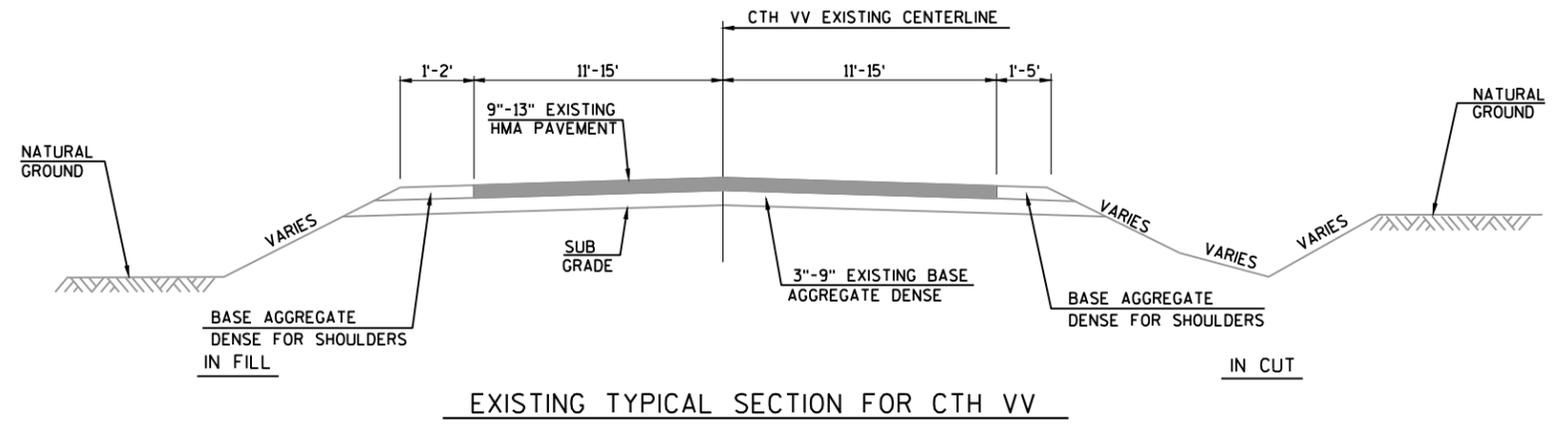


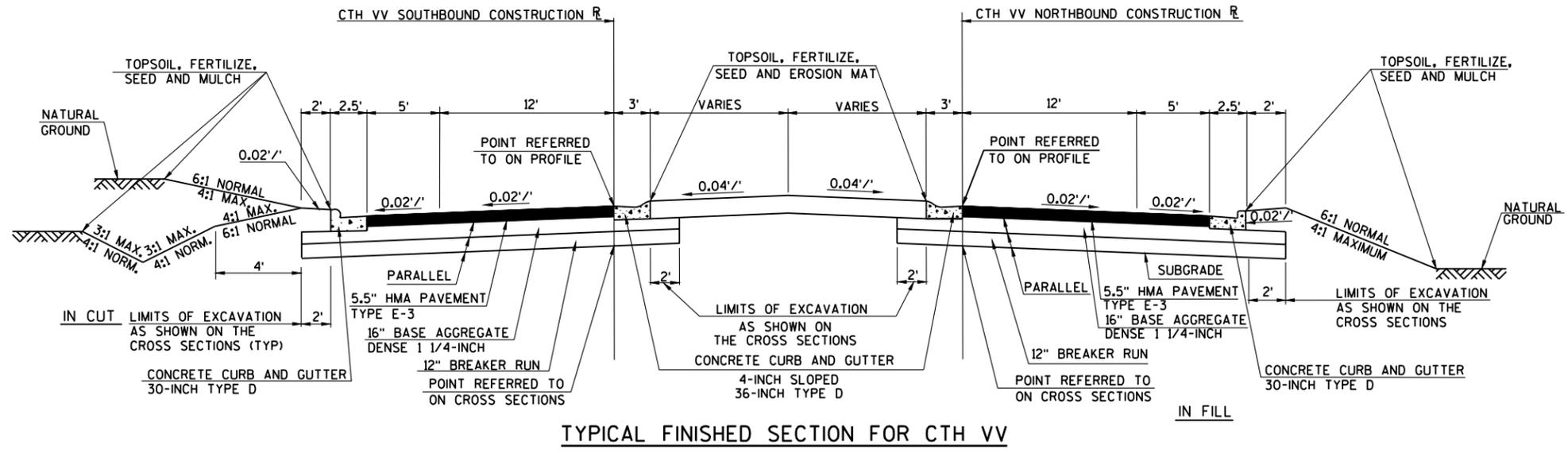
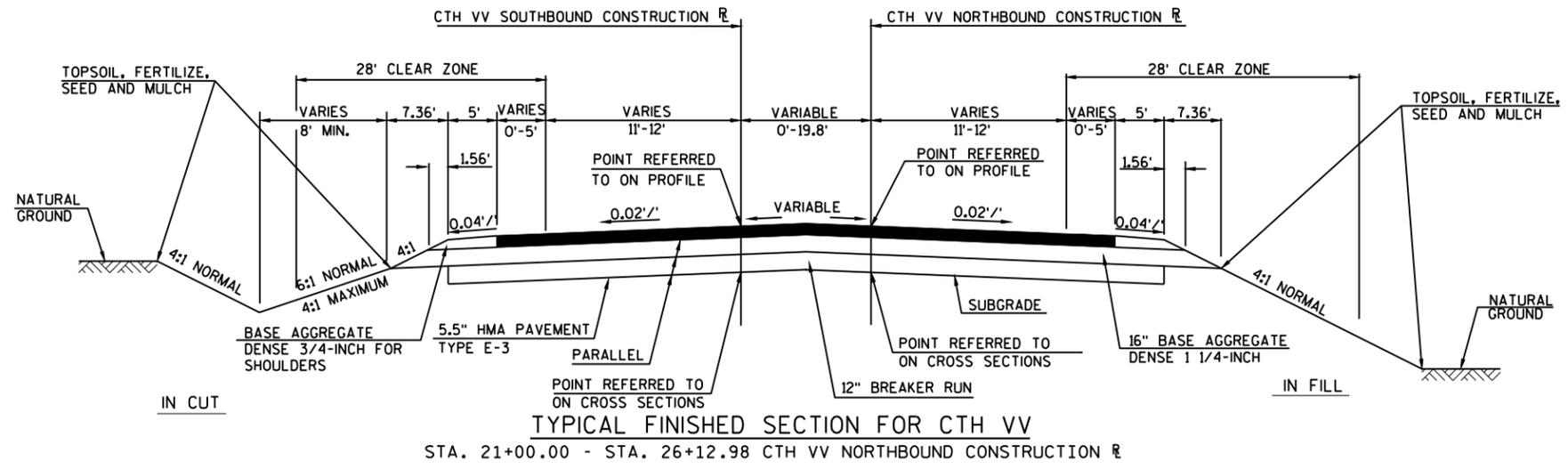
EXISTING TYPICAL SECTION FOR STH 29  
CTH U

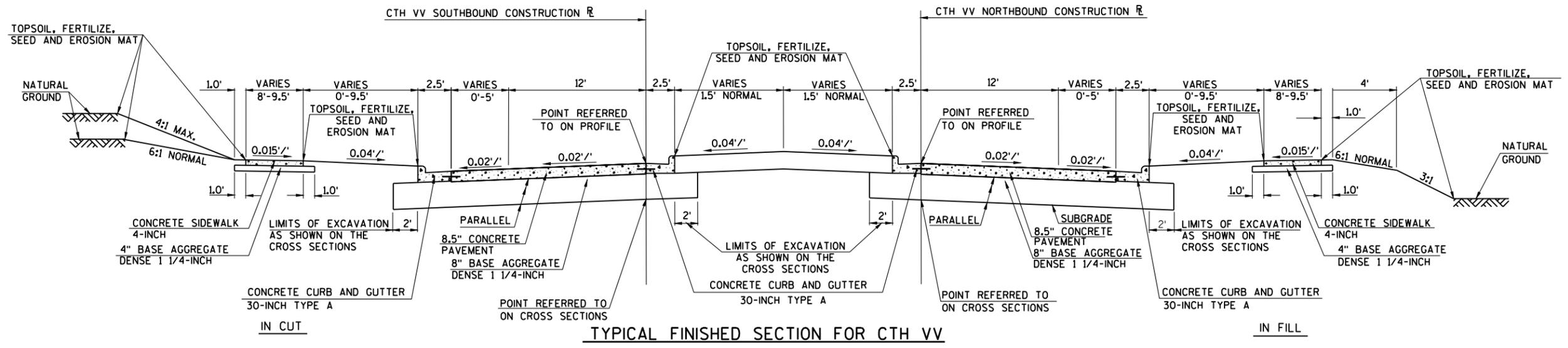
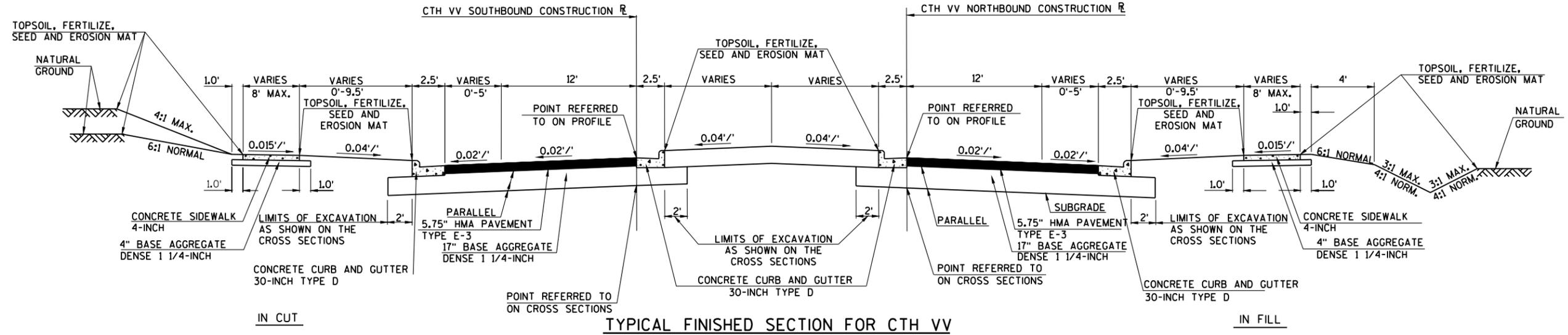


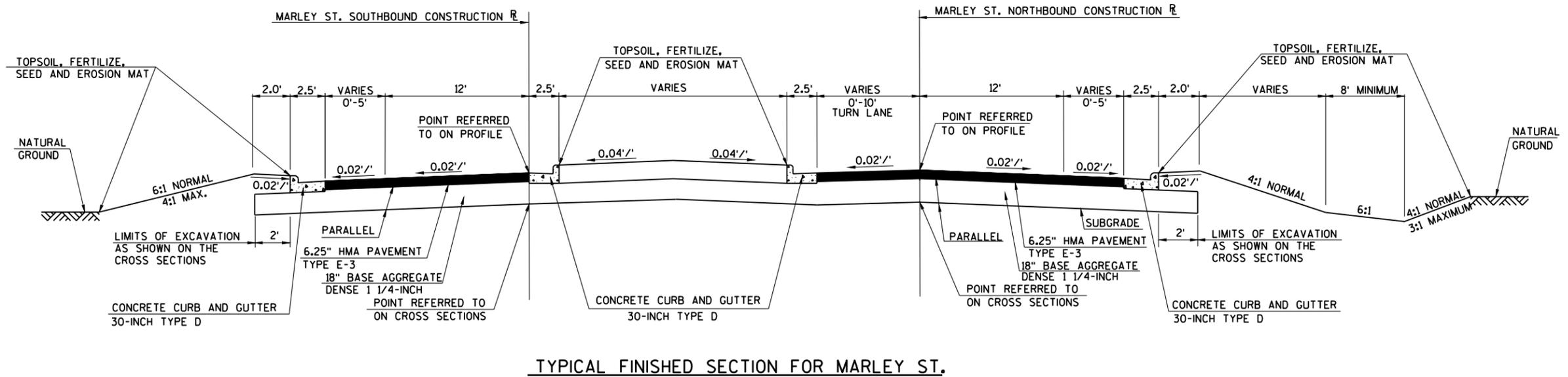
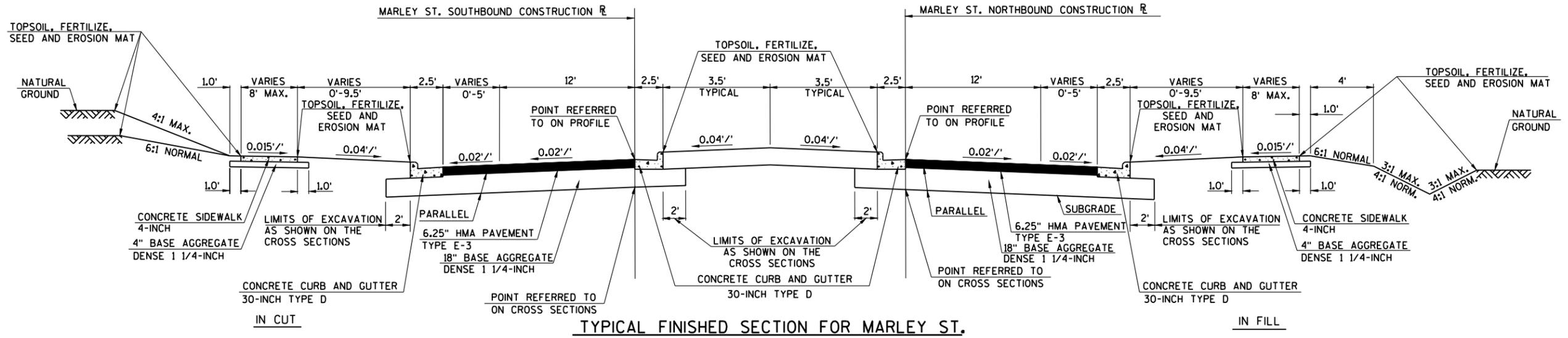
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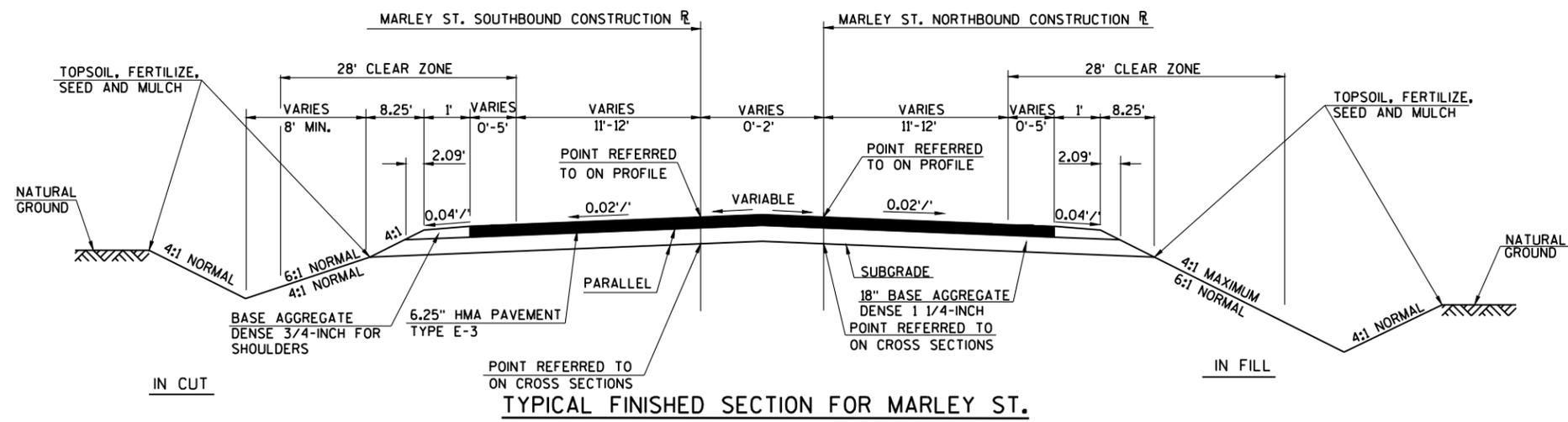
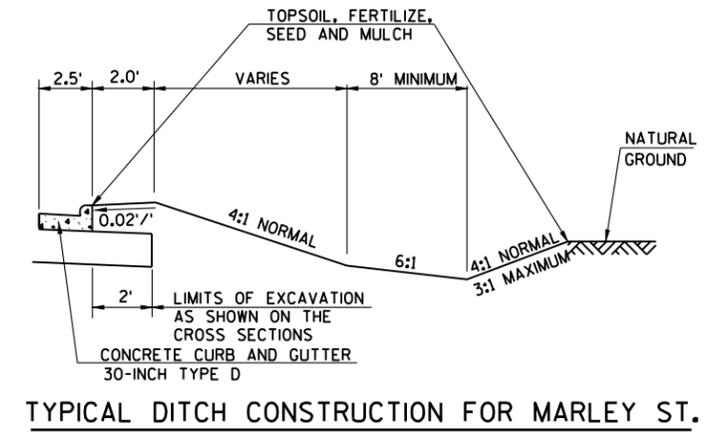
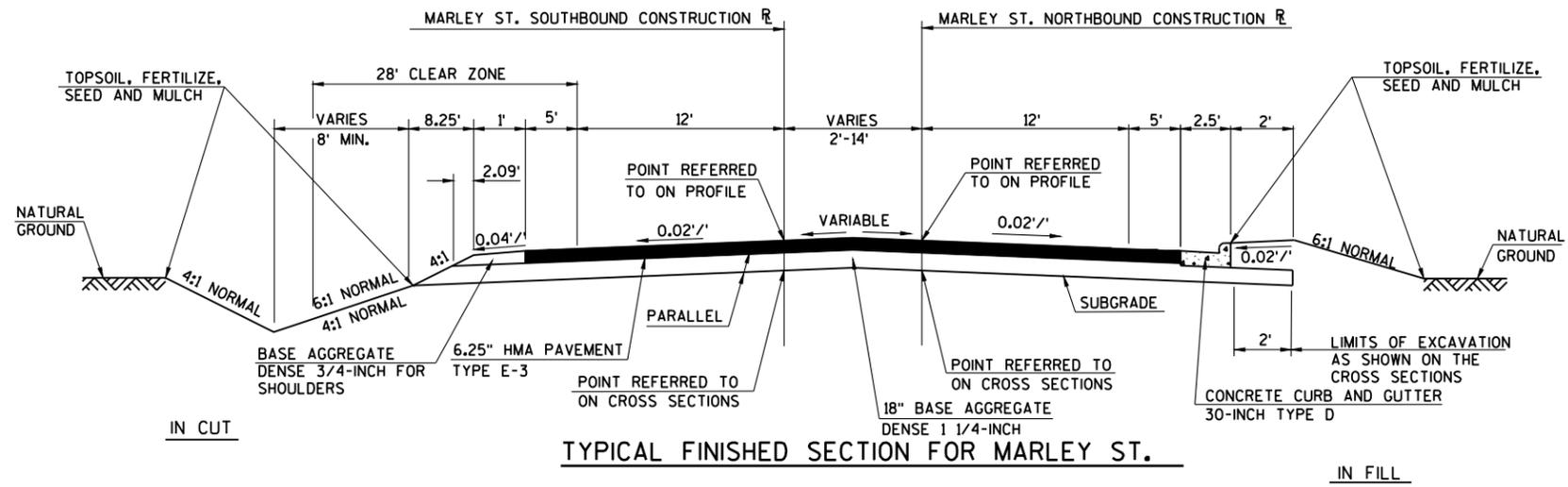


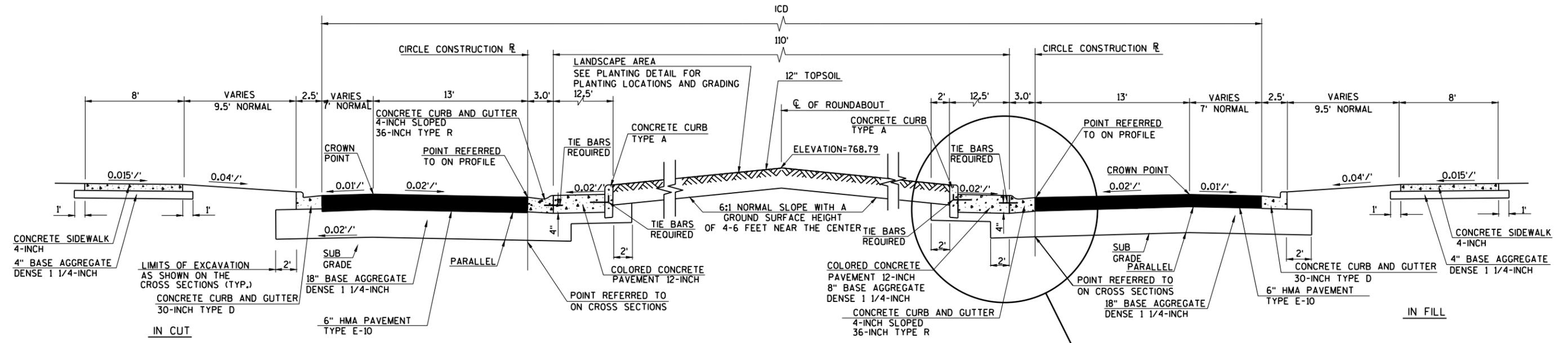




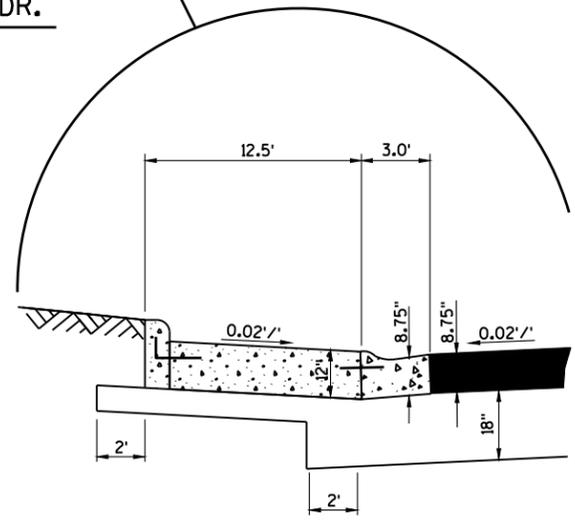




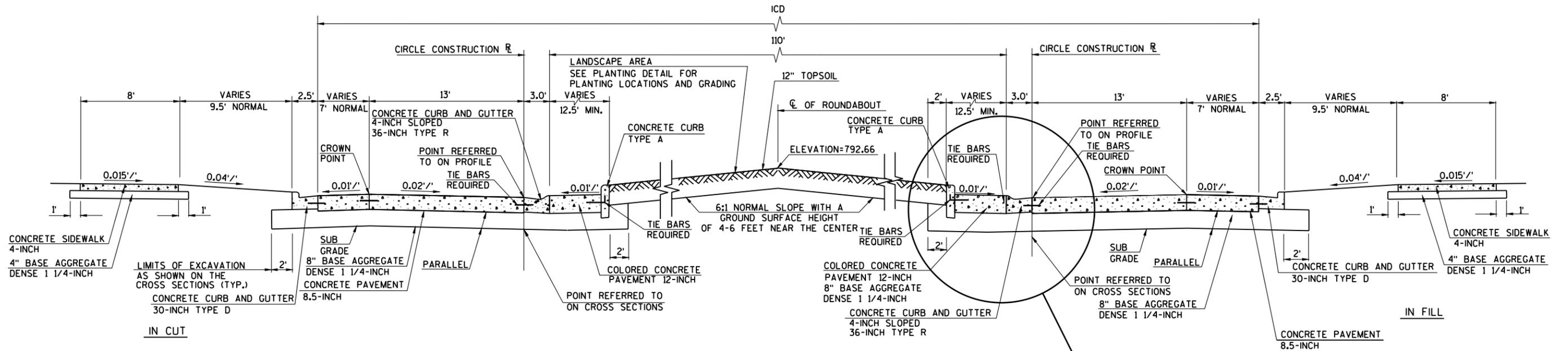




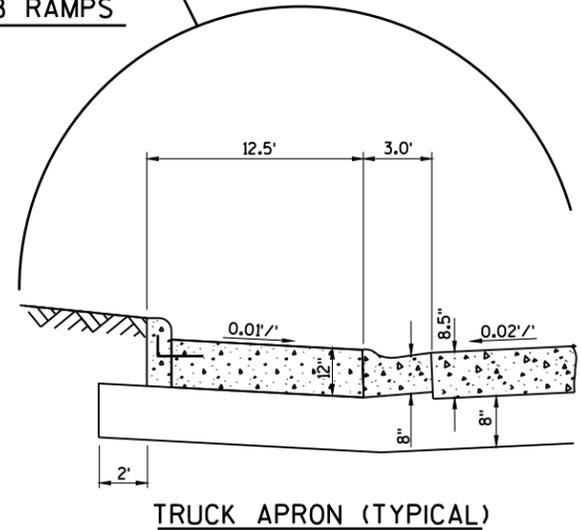
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 ROUNDABOUT DETAIL

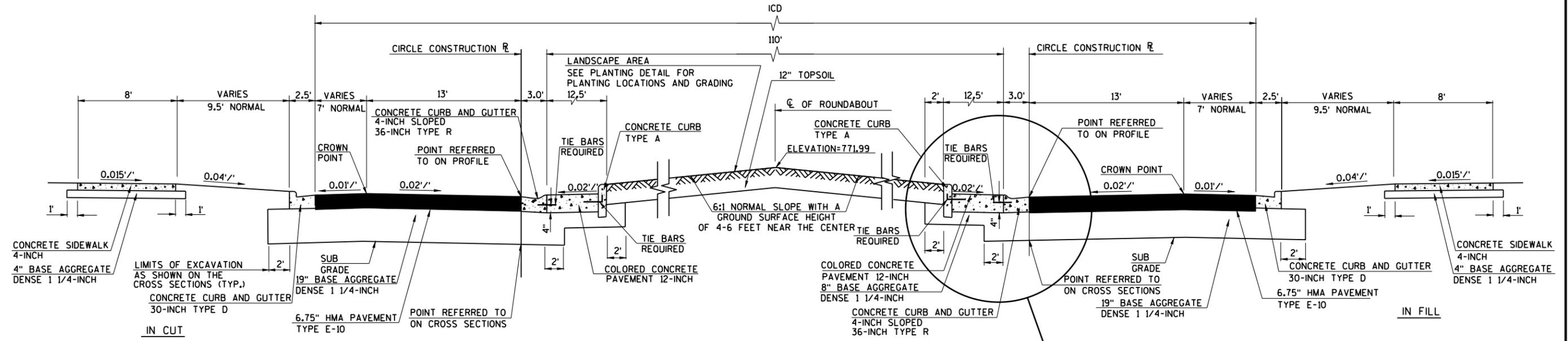


TRUCK APRON (TYPICAL)

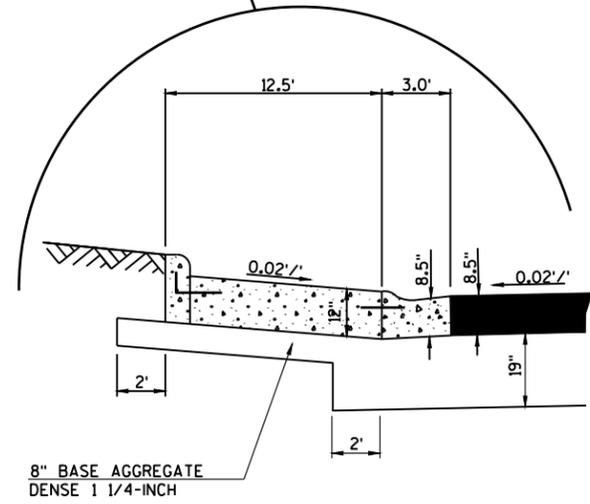


TYPICAL FINISHED SECTION FOR CTH VV/STH 29 EB AND WB RAMPS  
 ROUNDABOUT DETAIL

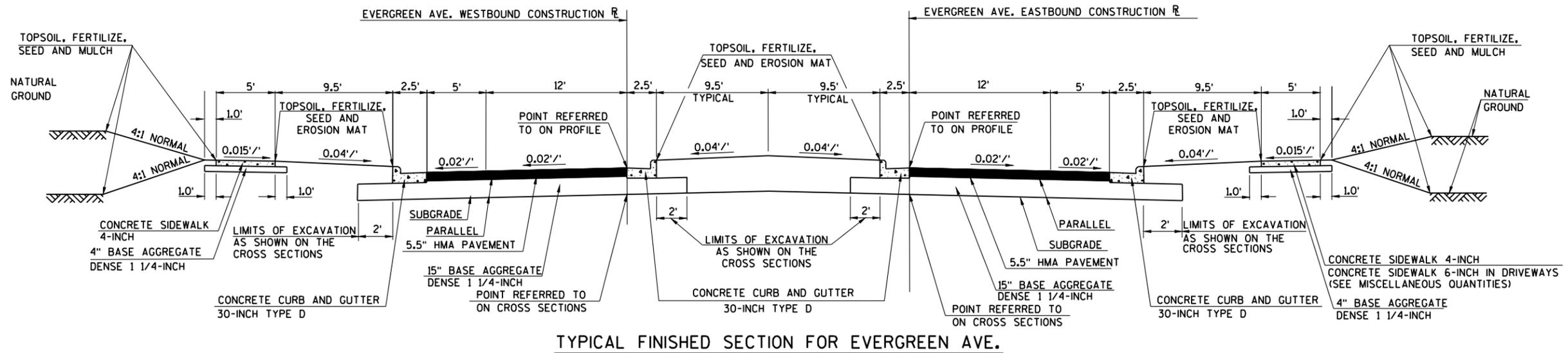
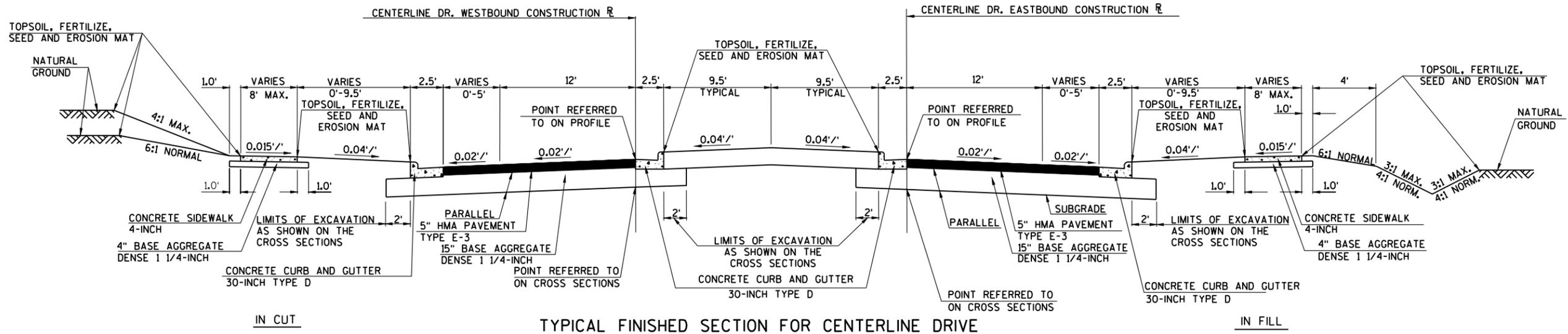




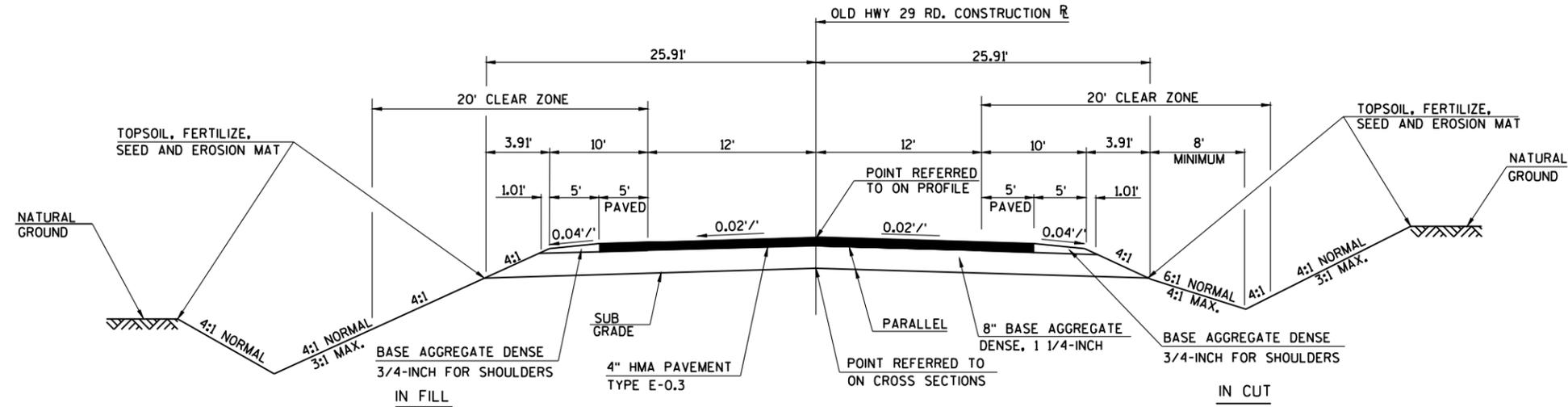
TYPICAL FINISHED SECTION FOR MARLEY ST./EVERGREEN AVE.  
 ROUNDABOUT DETAIL



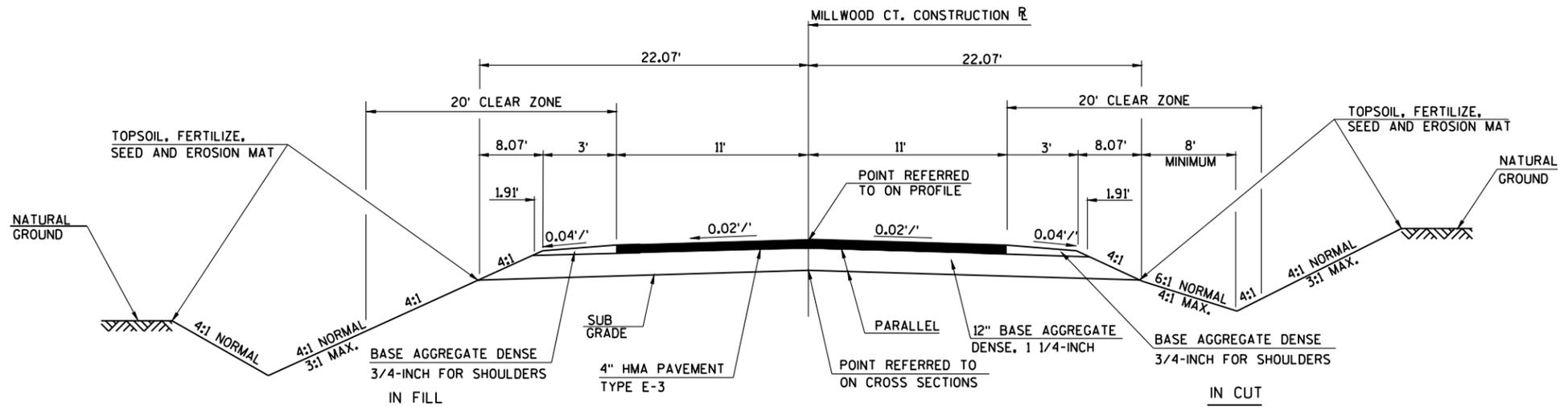
TRUCK APRON (TYPICAL)



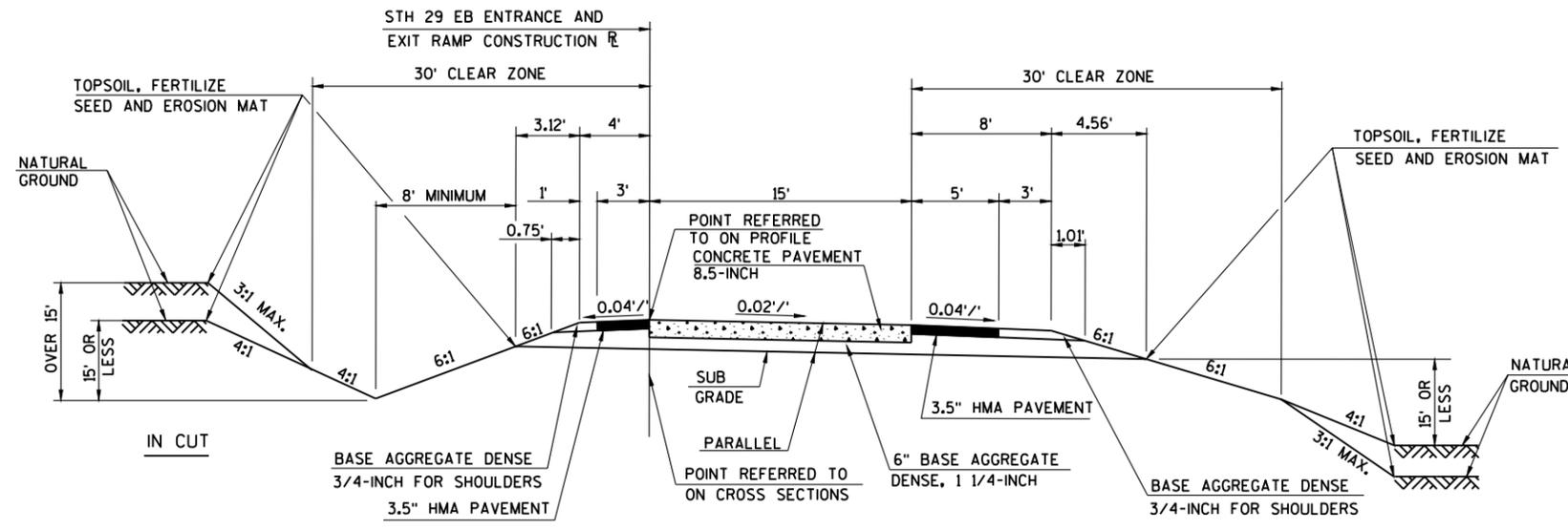




TYPICAL FINISHED SECTION FOR OLD HWY 29 RD.

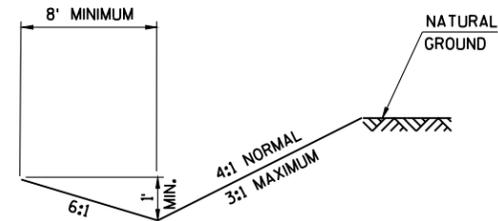


TYPICAL FINISHED SECTION FOR MILLWOOD CT.



TYPICAL FINISHED SECTION FOR STH 29  
ENTRANCE AND EXIT RAMPS

IN FILL



TYPICAL DITCH CONSTRUCTION FOR STH 29 RAMPS

# APPENDIX 4

## Agency Coordination

# Wisconsin Department of Natural Resources Coordination



January 7, 2011

DOT: Brown, 7304

Daniel Segerstrom  
Wisconsin Department of Transportation  
944 Vanderperren Way  
Green Bay, WI 54324-0080

**SUBJECT:** DOT/DNR Initial Project Review  
Project I.D.#: 9200-06-00  
Project Title: STH 29 Freeway Conversion  
Location: CTH U – Woodland Road  
County: Brown

Dear Mr. Segerstrom:

Preliminary information on the above referenced project has been reviewed by DNR Northeast Region staff under the DOT/DNR Cooperative Agreement. This project includes construction of a diamond interchange approximately 1600 feet west of existing CTH VV/STH 29 intersection, a new overpass that will extend North Pine Tree Road over STH 29 to Milltown Road, closure of CTH U/STH 29 intersection, and construction of an overpass at the existing CTH U/STH 29 intersection location. Pertinent environmental considerations are presented below:

#### WETLANDS

According to the DNR Surface Water Data Viewer there are mapped wetlands within the project boundary. During an onsite visit on December 29, 2010 I could not assess much of the vegetation due to snow cover. A wetland delineation will be needed to define any wetland limits within the project boundary.

#### WILDLIFE/FISHERIES

Much of the area appeared to be agricultural fields. There are some wooded areas and wooded fencerows that probably provide cover for wildlife. According to the DNR Surface Water Data Viewer there are two unnamed waterways near the project. One waterway, which is associated with the CTH VV/STH 29 Interchange, is a tributary to Trout Creek. The second waterway, which is associated with the Pine Tree Road extension Overpass, is a tributary to Lancaster Creek. There are plans to improve Trout Creek habitat for trout and Lancaster is currently classified as trout water. These waterways probably act as wildlife corridors. Depending on the project limits these waterways may be impacted, which would require further coordination.

#### ENDANGERED RESOURCES

There are recent records for a Migratory Bird Concentration Site close to this location as well as records for both State Threatened Blanding's turtle (*Emydoidea blandingii*) and State Threatened wood turtle (*Glyptemys insculpta*). The Department recommends that clearing of any wooded area be kept to a minimum to minimize impacts to the Migratory Bird Concentration Site as migratory birds will use the trees to rest and perch.

For the two State Threatened turtle species both species are known to inhabit the waterways and their riparian corridors. It is reasonable to assume that these turtles may be present at or near the project site if the project limits extend to the waterways discussed above.

If project construction will start in the spring, the perimeter of the areas to be disturbed that are along the riparian corridors should be protected with properly trenched-in silt fence prior to March 15 to discourage turtles from entering the work area. If the construction area cannot be silt-fenced by March 15, the silt fence must be installed prior to construction activities and the area behind the silt fence must be surveyed and any turtles confined within the project area removed prior to any site disturbance, and throughout the construction period.

## FLOODPLAINS

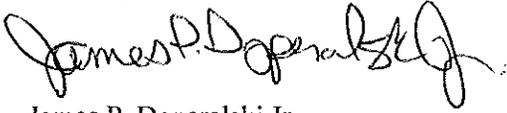
A determination must be made as to whether the project lies within a mapped/zoned floodplain. If the project lies in such an area, DNR required submittal of the results of a 100 year flood analysis for the structure(s). Also, if the new structure(s) will create an increase in the 100 year backwater condition, DNR requires that all affected upstream landowners be notified, and appropriate legal arrangements made. For areas lying outside mapped/zoned floodplain, DNR may request the results of DOT flow and backwater calculations. For project-specific information, please consult with the Brown County Zoning Administrator.

## OTHER COMMENTS

1. It will be important to coordinate this project with the surrounding municipalities due to the potential of both secondary and cumulative effects, such as new access roads or new development, associated with this project.
2. The environmental document regarding this project should discuss planned development from the local municipalities as a result of this project.
3. Conditions stated in all previous DNR correspondence regarding this project shall apply.
4. There is potential for wetland impacts to occur as a result of this project and therefore wetland impacts must be minimized and/or avoided to the greatest extent possible. Unavoidable wetland impacts must be mitigated in accordance to the DOT/DNR Cooperative Agreement and the Wisconsin Department of Transportation Wetland Mitigation Banking Technical Guideline. The Department requests information regarding the amount of unavoidable wetland impacts.
5. All demolition material generated as a result of this project must be disposed of according to state law.
6. There are known invasive plant species within the project limits. All equipment must be disinfected prior to arriving to and upon completion of the project in the areas with known invasive species to prevent the spread of invasive/exotic species and viruses. Please have the contractor follow these steps:
  - a. Inspect equipment and remove any vegetation (fragments, stems, leaves, or roots) or mud and dispose of debris prior to leaving the point of origin;
  - b. Drain any trapped water;
  - c. Wash all equipment (inside and out) with high pressure hot water (> 104 degree Fahrenheit), or;
  - d. Dry the equipment thoroughly for 5 days.
7. Proper erosion control measures must be used and maintained during and after construction. An erosion control implementation plan for the project must be developed by the contractor and submitted to this office 14 days prior to the preconstruction conference.

The above comments represent the Department's initial concerns for the proposed project and do not constitute final concurrence. Final concurrence will be granted after review of plans and further consultation if necessary. If any of the concerns or information provided in this letter requires further clarification, please contact this office at (920) 662-5119.

Sincerely,

A handwritten signature in black ink, appearing to read "James P. Doperalski Jr.", written in a cursive style.

James P. Doperalski Jr.  
Environmental Analysis and Review Specialist

- c. Mike Helmrick – DOT NER, Green Bay  
Matt Schaeve – Green Bay  
File: 7304

**From:** [Doperalski, James P - DNR](#)  
**To:** [Dave Tollefson](#)  
**Cc:** [Ternes, Matthew - DOT](#); [Robillard, Troy](#); [Helmrick, Michael - DOT](#); [Scott Cramer](#)  
**Subject:** RE: STH 29 (WisDOT ID 9200-06-00)  
**Date:** Friday, July 1, 2016 3:38:48 PM

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It doesn't appear that there are any major changes compared to what I reviewed in 2011. I did do a new NHI review this afternoon and didn't find any new records. The only change is that the Blanding's Turtle has been reclassified as State Special Concern rather than State Threatened. My initial review letter should still be valid.

**We are committed to service excellence.**

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

James P. Doperalski Jr.

Cell Phone: (920) 412-0165

James.Doperalski@wisconsin.gov

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**From:** Dave Tollefson [mailto:DTollefson@KLEngineering.com]  
**Sent:** Friday, July 01, 2016 2:39 PM  
**To:** Doperalski, James P - DNR  
**Cc:** Ternes, Matthew - DOT; Robillard, Troy; Helmrick, Michael - DOT; Scott Cramer  
**Subject:** STH 29 (WisDOT ID 9200-06-00)

Mr. Doperalski

As detailed in previous correspondence, the Wisconsin Department of Transportation (WisDOT) is in the process of developing plans for the conversion of STH 29 in Brown County to freeway standards. WisDOT is currently preparing an environmental document that will assess the potential effects of the project. Please see the attached DNR/DOT Project Review Request, and send any comments to myself and Matt Ternes (WisDOT Project Manager).

I.D. 9200-06-00

CTH U – Woodland Rd

STH 29

Brown County

Please do not hesitate to ask any follow-up questions on the scope of this project. Thanks in advance for your time and cooperation.

**Dave Tollefson**  
Environmental Specialist

KL Engineering, Inc.  
5950 Seminole Centre Ct., Suite 200  
Madison, WI 53711  
608.663.1218  
[dtollefson@klengineering.com](mailto:dtollefson@klengineering.com)

# DNR / DOT PROJECT REVIEW

State of Wisconsin Department of Natural Resources (DNR) and Department of Transportation (WisDOT)  
 DNR0002 7/2012

March 27, 2019

DNR Internet: <a href="http://dnr.wi.gov/">http://dnr.wi.gov/</a>	WisDOT Internet: <a href="http://www.dot.wisconsin.gov/">http://www.dot.wisconsin.gov/</a>
JIM DOPERALSKI WDNR NORTHEAST REGION 2984 SHAWANO AVE. GREEN BAY, WI 54313	<b>Wisconsin Department of Transportation</b> <b>Division of Transportation Systems Development</b> WisDOT Northeast Region 944 Vanderperren Way Green Bay, WI 54304

*Inform WisDOT Regional Environmental Coordinator, if more than 45 days is needed.*

Design Project ID 9200-10-00	Project Highway WIS 29	Review Submittal Date (mm/dd/yyyy) 3/27/2019
Construction Project ID	Estimated Project Cost (range) \$21 mil to \$22 mil	Construction Year 2021

Project Name CTH VV Interchange	Project Limits Shawano – Green Bay
------------------------------------	---------------------------------------

County Brown	Project On Tribal Land <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Contact Name Matt Ternes, WisDOT NE Region	Contact (Area Code) Phone Number (920) 366-3028; Matthew.Ternes@dot.wi.gov
---	---

Section/Township/Range  
Roadway  
 Sections 2, 3, 4, 11, and 12 / Township 24 North / Range 19 East  
 Sections 33 and 34 / Township 25 North / Range 19 East

Broadband Fiber  
 Sections 2,3,4,9,10,11,12,13,15,16,22,23, and 24 / Township 24 North / Range 19 East  
 Sections 33,34, and 35 / Township 25 North / Range 19 East  
 Sections 18,19, and 30 / Township 24 North / Range 20 East

<b>Type of Review Requested</b> <input type="checkbox"/> Initial Review <input type="checkbox"/> Final Concurrence <input type="checkbox"/> Scope Change <input checked="" type="checkbox"/> Other: Project Update	<b>Document Type</b> <input type="checkbox"/> Environmental Assessment (EA) <input checked="" type="checkbox"/> Environmental Report (ER) <input type="checkbox"/> Programmatic Environmental Report (pER)
--	---

<b>WisDOT Project Classification</b> <input type="checkbox"/> Bridge Rehabilitation, FDM 3-5-2 <input type="checkbox"/> Bridge Replacement, FDM 3-5-2 <input checked="" type="checkbox"/> Expansion, FDM 3-5-2 <input type="checkbox"/> Pavement Replacement, FDM 3-5-2 <input type="checkbox"/> Preventive Maintenance, FDM 3-1-5 <input type="checkbox"/> SHRM (State Hwy Rehab/Maint), Maintenance Manual 13.08 <input type="checkbox"/> Recondition, FDM 3-5-2 <input type="checkbox"/> Reconstruction, FDM 3-5-2 <input type="checkbox"/> Resurface, FDM 3-5-2 <input type="checkbox"/> Safety, PMM 4-1-10 <input type="checkbox"/> Other:	<b>Work Involved</b> <input type="checkbox"/> Beam Guard Replacement <input checked="" type="checkbox"/> Borrow and/or Waste Site Required <input type="checkbox"/> Channel Change/Stream Relocation <input checked="" type="checkbox"/> Clearing and Grubbing <input checked="" type="checkbox"/> Culvert Replacement or Extensions <input type="checkbox"/> Dredging <input checked="" type="checkbox"/> Grading <input checked="" type="checkbox"/> Fill Outside Toe of Slope <input checked="" type="checkbox"/> Interchange Improvement <input checked="" type="checkbox"/> Right of Way Acquisition <input checked="" type="checkbox"/> Shoulder Work <input checked="" type="checkbox"/> Storm Sewer <input type="checkbox"/> Other:
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**Storm Water Management (check all that apply)**

- Trans 401 post construction requirements
- NPDES MS4/Urbanized Area
- TMDL Implementation Area

*For more information and directions, please see the back of this form.*

## Project Description and Reason for Project:

As detailed in previous correspondence, the Wisconsin Department of Transportation (WisDOT) is in the process of developing plans for the conversion of STH 29 in Brown County to freeway standards. WisDOT is currently preparing an environmental document that will assess the potential effects of the project. A project location map is enclosed.

Previous coordination for this project was conducted under ID 9200-06-00, but project development and environmental documentation was never completed due to a lack of committed construction funding. In 2018, the villages of Hobart and Howard, along with Brown County, applied for and were awarded a federal Better Utilizing Investments to Leverage Development (BUILD) grant for the construction of the STH 29/CTH VV interchange. Construction is planned for 2021 and 2022. WDNR was sent an initial coordination letter for this project in December, 2010; project updates were sent in July 2015 and July 2016. Previous comments WDNR provided WisDOT regarding this project are enclosed.

Project ID 9200-10-00 involves the following:

- Closure of the existing at-grade intersection of WIS 29 and County VV. Construction of a diamond interchange at County VV and WIS 29; located approximately 1,700 feet west of the existing County VV/WIS 29 intersection. This interchange will connect with Marley Street to the north and County VV to the south. Roundabouts will be constructed at the County VV/WIS 29 eastbound ramp terminus, and the Marley Street/WIS 29 westbound ramp terminus.
- Milltown Road will be realigned to intersect with Marley Street at a roundabout located approximately 375 feet south of the existing Millwood Court/Marley Street intersection.
- County VV (Triangle Drive) will be realigned to intersect with a roundabout located approximately 1,000 feet south of the roundabout at County VV and the WIS 29 eastbound terminus. A new roadway will be constructed on the south leg of this roundabout, providing a connection to North Overland Road.
- A cul-de-sac will be constructed at the intersection of North Overland Road and Triangle Drive.
- Closure of the WIS 29 intersection with County U (County Line Road). On the north side of WIS 29, County Line Road will end at Glendale Avenue, and on the south side of WIS 29, County Line Road will connect to Old Wisconsin 29.
- Installation of a broad band fiber optic line that has two possible routes (see attached); the broad band line will be installed underground and environmentally sensitive areas will be directionally bored to minimize impacts

Project plans have been modified since previous coordination. Main changes to project plans include:

- Removal of a CTH U overpass of WIS 29
- Removal of a North Pine Tree Road overpass of WIS 29
- Addition of a connection to North Overland Road from a proposed roundabout on County VV (Triangle Drive)

We are requesting that your agency provide comments on the potential effects of this project, including special concerns, an assessment of how the project relates to your agency's area of expertise, and any requirements that your agency may have for the project. If WDNR's previous comments are still valid, a simple email response stating so will suffice.

cc: Matt Ternes, WisDOT Project Manager  
Michael, Helmrick Coordinator, WisDOT Northeast Region  
Troy Robillard, Ayres Associates  
KL Engineering, Inc.

## Helmrick, Michael - DOT

---

**From:** Doperalski, James P - DNR  
**Sent:** Wednesday, March 13, 2019 9:56 AM  
**To:** Helmrick, Michael - DOT  
**Cc:** Ternes, Matthew - DOT  
**Subject:** RE: 29/VV 9200-06-00

I renewed the NHI review I conducted in 2016 and the only changes were to the Federal status of the Blanding's and Wood Turtles to Species of Concern. The Wood Turtle is still State Threatened. There are no records for the NLEB, RPBB, Dwarf Lake Iris or Red Knot.

For an updated review I'd prefer to wait until we do an updated wetland determination. Otherwise the largest update would be the TCGP requirements.

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

James P. Doperalski Jr.  
Cell Phone: (920) 412-0165  
James.Doperalski@wisconsin.gov

---

**From:** Helmrick, Michael - DOT  
**Sent:** Wednesday, March 13, 2019 9:14 AM  
**To:** Doperalski, James P - DNR <James.Doperalski@wisconsin.gov>  
**Cc:** Ternes, Matthew - DOT <Matthew.Ternes@dot.wi.gov>  
**Subject:** 29/VV 9200-06-00

Jim –

Need a NLEB and RPBB confirmation for the 29/VV interchange project. ID is 9200-06-00. Previous coordination is attached. Not sure if you heard yet or not, but the County got a grant along with some funding commitments from Hobart and Howard to get this interchange completed. So it's on an aggressive schedule with the plan for construction in 2020. You'll be hearing more in the near future, and we will need to go out and update our previous wetland determination, but for now I just need the NLEB/RPBB check so I can do the section 7 coordination. We will also need an update to the prelim comments, or an updated confirmation that it's still valid, but that request will likely come from Ayres or KL.

Two other species popped up. Dwarf Lake Iris, which I can say habitat is not present. The other species that popped up on the federal list was the Red Knot, which appears to just migrate through WI, and very unlikely to be inhabiting this area based on what I read. But if you have any concerns with the Red Knot let me know that too. It doesn't appear that it's even tracked in the NHI from what I saw on the DNR website.

Thanks!

Mike

**Mike Helmrick**  
Region Environmental Coordinator  
Wisconsin Department of Transportation

Department of Agriculture  
and Consumer Protection  
Coordination



State of Wisconsin  
Governor Scott Walker

---

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

January 10, 2011

Daniel Segerstrom  
Wisconsin Department of Transportation  
Northeast Region  
944 Vanderperren Way  
Green Bay, WI 54324-0080

Re: STH 29: CTH "U" to Woodland Road  
Brown County  
WisDOT ID#: 9200-06-00

Dear Mr. Segerstrom:

Thank you for giving the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) the opportunity to comment on the proposed construction of interchanges and overpasses on STH 29 between CTH "U" and Woodland Road.

According to the information you provided, the Wisconsin Department of Transportation (WisDOT) is proposing to construct a diamond interchange at STH 29 and CTH "VV," an overpass for North Pine Tree Road, and an overpass for CTH "U." This area is located in the town of Hobart (southwest of STH 29) and the village of Howard (northeast of STH 29) in Brown County.

When evaluating the impacts that a project could have on agriculture, DATCP's primary concerns include: the loss of farmland, the number of farm parcels to be severed, changes in access to farmland, the loss of farm buildings, and the impacts on drainage. The following is a brief discussion of this project's potential impacts on agriculture.

*Acquisition of farmland:* The loss of farmland, especially cropland or pasture, can reduce the productive capacity of a farm operation, which could lead to a loss of income and profitability. Farmers with livestock also need to have an adequate amount of land for growing feed crops and spreading manure. If they cannot find replacement land, they may be forced to cull some of their livestock. Farmers who lose land because of the proposed project may have difficulty finding comparable replacement acreage for a number of reasons including: (1) other area farmers will also be in the market, thereby increasing demand and perhaps price for farmland; (2) the supply of farmland will decrease because of right-of-way acquisitions; (3) the productive potential of available farmland may be less than the farmland taken; and (4) travel distances to available farmland may be cost prohibitive.

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The construction of an interchange and two overpasses could cause a significant loss in acreage for a few farmland owners. A better evaluation of the loss of farmland can be done after WisDOT completes preliminary designs for the project and affected farmland owners are identified.

*Soils:* Another factor to consider when evaluating the loss of farmland is the quality of the affected soils. Prime farmland is defined as land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops. All of the major soils that will be affected by the proposed project are classified as prime farmland except for the Shawano soils at the intersection of STH 29 and North Pine Road.

The soils in the vicinity of the proposed STH 29/CTH "VV" interchange include Oshkosh silt loam with 0 to 2 percent slopes, Oshkosh silt loam with 2 to 6 percent slopes, and Solona loam with 1 to 3 percent slopes.

At STH 29 and North Pine Tree Road the soils most affected by the proposed project include Kewaunee loam-gravelly substratum with 2 to 6 percent slopes and Shawano loamy fine sand with 6 to 12 percent slopes.

The soils that will be affected at the CTH "UU" overpass of STH 29 include mostly Oshkosh silt loam with 2 to 6 percent slopes with a small amount of Solona loam with 1 to 3 percent slopes.

Oshkosh silt loam is deep and well drained to moderately well drained. It is found on lacustrine plains dissected by V-shaped valleys. It has medium available water capacity and slow permeability. Natural fertility is high and the organic-matter content is low. Where the slopes are 0 to 2 percent, runoff is slow. Where the slopes are 2 to 6 percent, runoff is slow to medium.

Solona loam with 1 to 3 percent slopes is deep and somewhat poorly drained soil that is found in depressions and drainageways and glacial till plains. It has high available water capacity and moderate permeability. Natural fertility and the organic-matter content are medium. Runoff is slow and the use of drain tile can help remove excess water.

Kewaunee loam-gravelly substratum with 2 to 6 percent slopes is deep and well drained to moderately well drained soil. It is found on glacial till plains and ridges. The available water capacity is high and permeability is slow.

Shawano loamy fine sand with 6 to 12 percent slopes is deep and excessively drained. It is found on sandy lacustrine plains and outwash plains. It has low available water capacity and rapid permeability. Natural fertility and organic-matter content are low.

*Zoning:* The town of Hobart and the village of Howard have exclusive agricultural zoning. The town of Hobart has town-administered exclusive agricultural zoning. None of the farmland in either the town or village is covered by a Farmland Preservation Agreement.

*Severances:* Severance of farms, particularly those that leave irregularly shaped remnant parcels, can make equipment usage awkward and production more costly. This increased cost is due in part to the additional time, fuel, and equipment wear associated with maneuvering equipment in corners of fields that are not square or along sides of fields that are not straight. Severances can also create access problems where farm buildings are separated from cropland and pasture.

DATCP cannot determine if the proposed project will sever any farm parcels and cause severance impacts until the preliminary design is completed.

*Access:* Changes to intersection configuration could affect access to adjacent farmland in two ways. First, the changes in the configuration of intersections could affect a farmer's route between parcels of his/her farmland or between his/her farm and other businesses that provide services for the farm. Second, the proposed project could require the relocation, restriction, or elimination of access points to farm property.

The creation of an interchange at STH 29/CTH "VV" is likely to make traveling through that intersection easier and safer for all motorists including farmers. The creation of overpasses will likely have mixed impacts for nearby farmers. While it will be easier for farmers and other motorists to cross STH 29 where overpasses are constructed, they will not have direct access to STH 29 at these locations. This may require longer more circuitous trips to access STH 29 than are currently followed. For example, if a town of Hobart farmer heads north on CTH "U" and intends to turn to the northwest on STH 29, he/she would have to access STH 29 at a different intersection.

If access to any farm property is relocated, restricted, or eliminated, these changes could affect the efficiency of farm operations by increasing travel time and distance between farm parcels or for trips between the farm and other businesses. Farmers that are forced to spend more time on roadways also face greater risk of traffic accident. Existing access points may be affected if they are too close to an interchange ramp.

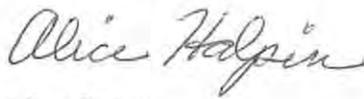
*Acquisition of buildings:* The loss or relocation of buildings can disrupt the efficiency of a farm operation. If affected buildings are relocated to another part of the farm or if buildings are included in an acquisition and replacement buildings are constructed elsewhere on the farm, the landowner may lose cropland or pasture in addition to the land lost for highway right-of-way. Also, if new replacement buildings are constructed, the cost to build them may be greater than the market value paid for the acquired buildings. This difference would be an additional burden on the landowner.

*Drainage:* The proposed project does not appear to be located within any drainage districts. However, the project will affect soils that might have drainage tiling to improve agricultural productivity. Highway construction can damage these structures and impede the flow of surface water, which could damage crops and reduce yields.

The DATCP may prepare an Agricultural Impact Statement (AIS) for the proposed project after WisDOT determines the amount of property to be acquired from each farmland owner. The AIS would provide detailed information on the impacts to agriculture caused by the proposed project.

Thank you for allowing DATCP the opportunity to comment on the proposed project. If you have any questions, please feel free to call me at (608)224-4646.

Sincerely,

A handwritten signature in cursive script that reads "Alice Halpin".

Alice Halpin  
Agricultural Impact Analyst

**From:** [Halpin, Alice L - DATCP](#)  
**To:** [Dave Tollefson](#)  
**Subject:** RE: AIS - STH 29: CTH U-Woodland Rd  
**Date:** Thursday, March 21, 2019 3:07:05 PM  
**Attachments:** [image001.png](#)

---

This email originated from outside of KL Engineering. Please only open links and attachments if you recognize the sender.

Hi Dave.

First an FYI, Lindsay has moved on to the DNR and doesn't work at DATCP any more.

Regarding a potential update to the AIS, we would only consider writing an addendum if the amount of farmland that would be acquired has increased or if the project is affecting different farmland owners from the ones listed in the AIS. If the amount of farmland to be acquired has decreased, DATCP doesn't need to be notified. Otherwise, you should send us a table listing the originally proposed acquisitions for each farmland owner and the revised acquisitions for each of them. Have the affected landowners been notified of any changes?

Depending on the sizes of the proposed changes in the acquisitions, we may or may not prepare an addendum. I'll look over the information you submit and let you know.

Alice

Alice Halpin  
Agricultural Impact Statements Program, Division of Agricultural Resource Management  
Wisconsin Department of Agriculture, Trade and Consumer Protection  
P.O. Box 8911  
Madison, WI 53708-8911  
phone: (608)224-4646  
fax: (608)224-4615  
e-mail: [alice.halpin@wisconsin.gov](mailto:alice.halpin@wisconsin.gov)

Please complete this [brief survey](#) to help us improve our customer service. Thank you for your feedback.

[alice.halpin@wisconsin.gov](mailto:alice.halpin@wisconsin.gov) [brief survey](#)

---

**From:** Dave Tollefson <DTollefson@KLEngineering.com>  
**Sent:** Thursday, March 21, 2019 2:52 PM  
**To:** Tekler, Lindsay M - DNR <Lindsay.Tekler@wisconsin.gov>; Halpin, Alice L - DATCP <Alice.Halpin@wisconsin.gov>  
**Subject:** AIS - STH 29: CTH U-Woodland Rd

United States  
Army Corps of Engineers  
Coordination



REPLY TO  
ATTENTION

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

2011 JAN -5 A 11: 5b

WISDOT-DIST 3

January 3, 2011

Operations  
Regulatory (2011-00031-LMK)

Mr. Daniel Segerstom  
944 Vanderperren Way  
Green Bay, Wisconsin 54303

Dear Mr. Segerstrom:

We have received the letter entitled "WisDOT 9200-06-00 STH 29 CTH U – Woodland Road" dated December 20, 2010. Due to limited staff and resources, it is unlikely that U.S. Army Corps of Engineers Regulatory staff will review or comment on this letter until we receive a permit application. In lieu of a specific response, please consider the following general information concerning our regulatory program that may apply to the proposed project.

If the proposal involves activity in navigable waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Section 10 prohibits the construction, excavation, or deposition of materials in, over, or under navigable waters of the United States, or any work that would affect the course, location, condition, or capacity of those waters, unless the work has been authorized by a Department of the Army permit.

If the proposal involves discharge of dredged or fill material into waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 404 of the Clean Water Act (CWA Section 404). Waters of the United States include navigable waters, their tributaries, and adjacent wetlands (33 CFR § 328.3). CWA Section 301(a) prohibits discharges of dredged or fill material into waters of the United States, unless the work has been authorized by a Department of the Army permit under Section 404. Information about the Corps permitting process can be obtained online at <http://www.mvp.usace.army.mil/regulatory>.

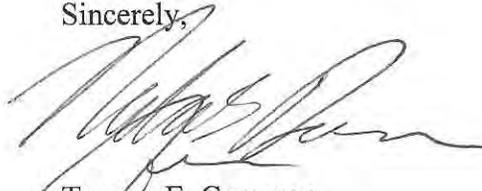
The Corps' evaluation of a Section 10 and/or a Section 404 permit application involves multiple analyses, including (1) evaluating the proposal's impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR § 320.4), and (3) in the case of a Section 404 permit, determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230).

If the proposal requires a Section 404 permit application, the Guidelines specifically require that "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental

consequences” (40 CFR § 230.10(a)). Time and money spent on the proposal prior to applying for a Section 404 permit cannot be factored into the Corps’ decision whether there is a less damaging practicable alternative to the proposal.

If you have any questions regarding the application process please contact Nick Domer at 920-448-2824, the Corps’ contact for the County in which this proposal is located.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tamara E. Cameron', written over a horizontal line.

Tamara E. Cameron  
Chief, Regulatory Branch

United States  
Fish and Wildlife Service  
Coordination



# 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

January 12, 2011

Mr. Daniel Segerstrom  
Division of Transportation  
944 Vanderperren Way  
Green Bay, Wisconsin 54324-0080

re: WisDOT ID 9200-06-00  
Freeway Conversion  
CTH U –Woodland Road  
STH 29  
Brown County, Wisconsin

Dear Mr. Segerstrom:

The U.S. Fish and Wildlife Service (Service) has received your letter dated December 20, 2010, requesting comments on the subject project. The project involves improvements to STH 29 located in the Village of Howard and the Town of Hobart in Brown County, Wisconsin. We have reviewed the information provided in your letter and our comments follow.

### **Federally-Listed Species, Candidate Species, and Critical Habitat**

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

### **Wetlands and Streams**

We note that a portion of the project area includes wetlands. Areas that include wetlands are the closure of STH 29 intersection with CTH U and the eastern portion of the proposed diamond interchange at CTH VV and STH 29. In refining and selecting project alternatives, efforts should be made to select an alternative that does not adversely impact wetlands. If no other alternative is feasible and it is clearly demonstrated that project construction resulting in wetland disturbance or loss cannot be avoided, a wetland mitigation plan should be developed that identifies measures proposed to minimize adverse impacts and replace lost wetland habitat values and other wetland functions and values. Any project that impacts wetlands or waterways, including seasonally ephemeral and intermittent streams, should include design features such as culverts to retain hydrological connection between areas fragmented by the project.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Ms. Jill Utrup 920-866-1734.

Sincerely,

A handwritten signature in black ink that reads "Louise Clemency". The signature is written in a cursive style with a large initial "L" and a long, sweeping tail.

Louise Clemency  
Field Supervisor

**Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form**

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service’s (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

<b>Information to Determine 4(d) Rule Compliance:</b>	<b>YES</b>	<b>NO</b>
1. Does the project occur wholly outside of the WNS Zone <sup>1</sup> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have you contacted the appropriate agency <sup>2</sup> to determine if your project is near known hibernacula or maternity roost trees?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Could the project disturb hibernating NLEBs in a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Could the project alter the entrance or interior environment of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

You are eligible to use this form if you have answered yes to question #1 **or** yes to question #2 **and** no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

**Agency and Applicant<sup>3</sup>** (Name, Email, Phone No.):

Wisconsin Department of Transportation  
 Mike Helmrick  
 michael.helmrick@dot.wi.gov  
 920-492-7738

**Project Name:** 9200-06-00, WIS 29, Brown CO

**Project Location** (include coordinates if known):. WIS 29 and County VV Interchange. See Attachment 1.

<sup>1</sup> <http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf>

<sup>2</sup> See <http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html>

<sup>3</sup> If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

**Basic Project Description** (provide narrative below or attach additional information):

The Project proposes to replace the existing at grade intersection of WIS 29 and County VV with the construction of a new diamond interchange. Access to WIS 29 at County U would also be restricted.

Construction is scheduled for 2020. The Federal Highway Administration (FHWA) is the lead agency for the project.

Spot clearing of trees will occur with the project at a few locations, but no large forested areas will be impacted.

The Wisconsin Department of Natural Resources (WDNR) reviewed their Natural Heritage Inventory database on 3-13-2019. In that review, WDNR determined that there are no known NLEB maternity roost trees within 150 feet and no known hibernacula within 0.25 miles of the proposed project (Attachment 2).

Attachment 4 contains the official species list generated using the IPAC tool on 3-13-2019. (Consultation Code: 03E17000-2019-SLI-0629). The effect determinations for the Federally-listed species are in Attachment 3.

<b>General Project Information</b>	<b>YES</b>	<b>NO</b>
Does the project occur within 0.25 miles of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project occur within 150 feet of a known maternity roost tree?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project include forest conversion <sup>4</sup> ? (if yes, report acreage below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Estimated total acres of forest conversion	Less than 1	
If known, estimated acres <sup>5</sup> of forest conversion from April 1 to October 31		
If known, estimated acres of forest conversion from June 1 to July 31 <sup>6</sup>		
Does the project include timber harvest? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated wind capacity (MW)		

Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

<sup>4</sup> Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

<sup>5</sup> If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

<sup>6</sup> If the activity includes tree clearing in June and July, also include those acreage in April to October.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Signature:  Date Submitted: 3-13-2019

## **List of Attachments**

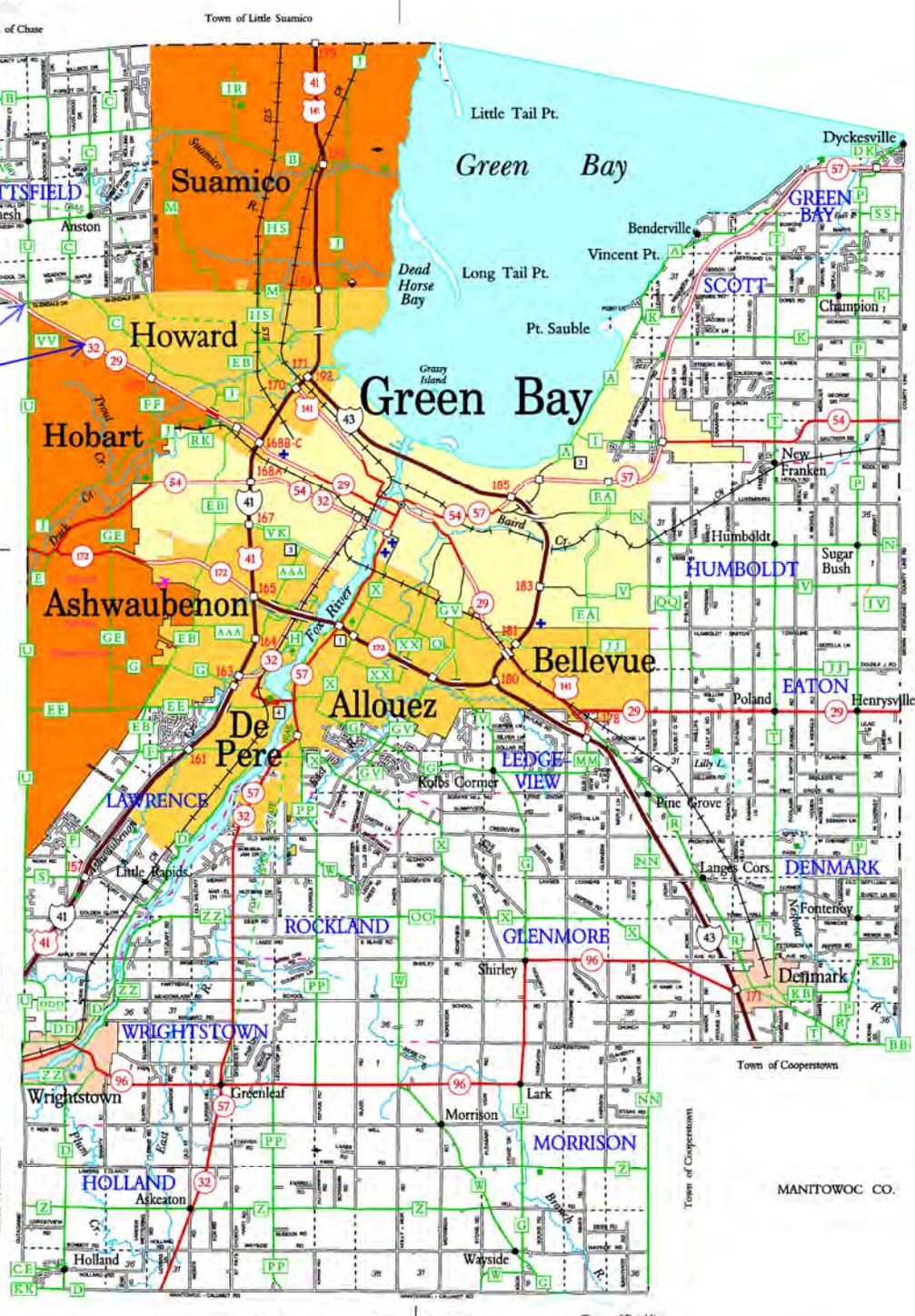
- 1: Project Location Maps
- 2: WDNR NHI Review
- 3: Official Species List
- 4: Effect Determinations for Federally Listed Species

## 1: Project Location Map

**Project Location**  
 9200-06-00  
 WIS 29 and County V  
 Interchange

**LEGEND**

- Freeway
- Multilane Divided
- U.S. or State Hwy
- County Trunk Hwy
- Town Road
- Firelane
- Railroad
- State Trail
- Interchange
- Highway Separation
- Interstate Highway No.
- U.S. Highway No.
- State Highway No.
- County Highway Letter
- State Boundary
- County Boundary
- Civil Town Boundary
- Section Line
- Dam
- Hospital
- Airport
- County Seat
- Unincorporated Village
- Fish Hatchery
- Game Farm
- Public Hunt. or Fish Grds.
- Public Camp & Picnic Grds.
- Ranger Station
- State Park
- County Park
- Without Facilities
- Rest area
- Modern Facilities
- Wayside
- Green Bay Correctional Institution
- Univ. of Wisconsin - Green Bay
- Lambous Field
- St. Norbert College



Town of Woodville Town of Brillion Town of Maple Grove Town of Franklin  
 R-19-E R-20-E R-21-E R-22-E  
 CALUMET CO. MANITOWOC CO.

For boundaries of public hunting and fishing grounds please contact the Department of Natural Resources

**SECTION NUMBERING OF A TOWNSHIP**

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



**MILES OF HIGHWAY**  
 as of Dec. 31, 2005

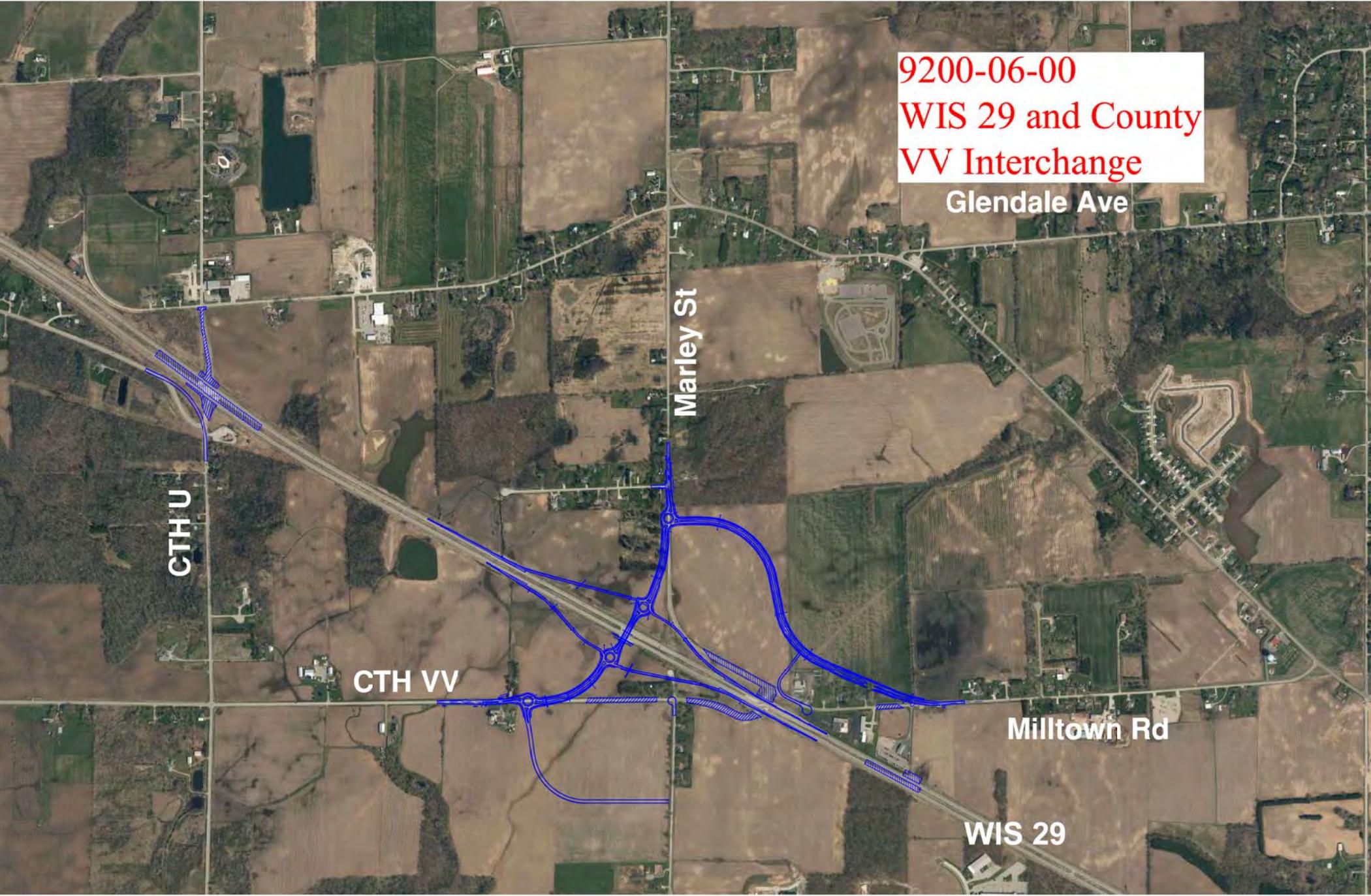
STATE	188
COUNTY	54
LOCAL ROADS	778
OTHER ROADS	5
<b>TOTAL FOR COUNTY</b>	<b>2342</b>

Land Area (2000 Census) — 530 sq mi  
 Population (2000 Census) — 248,872  
 County Seat — Green Bay

**BROWN CO.**  
 DEPARTMENT OF TRANSPORTATION  
 STATE OFFICE BUILDING  
 Madison, Wisconsin

SCALE 1" = 3 MILES  
 Corrected for  
 JAN. 2008  
 Base compiled from U.S.G.S. Quadmaps  
 1:50,000 Series

9200-06-00  
WIS 29 and County  
VV Interchange  
Glendale Ave



## 2: WDNR NHI review

## Helmrick, Michael - DOT

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**From:** Doperalski, James P - DNR  
**Sent:** Wednesday, March 13, 2019 9:56 AM  
**To:** Helmrick, Michael - DOT  
**Cc:** Ternes, Matthew - DOT  
**Subject:** RE: 29/VV 9200-06-00

I renewed the NHI review I conducted in 2016 and the only changes were to the Federal status of the Blanding's and Wood Turtles to Species of Concern. The Wood Turtle is still State Threatened. There are no records for the NLEB, RPBB, Dwarf Lake Iris or Red Knot.

For an updated review I'd prefer to wait until we do an updated wetland determination. Otherwise the largest update would be the TCGP requirements.

**We are committed to service excellence.**

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

James P. Doperalski Jr.  
Cell Phone: (920) 412-0165  
James.Doperalski@wisconsin.gov

---

**From:** Helmrick, Michael - DOT  
**Sent:** Wednesday, March 13, 2019 9:14 AM  
**To:** Doperalski, James P - DNR <James.Doperalski@wisconsin.gov>  
**Cc:** Ternes, Matthew - DOT <Matthew.Ternes@dot.wi.gov>  
**Subject:** 29/VV 9200-06-00

Jim –

Need a NLEB and RPBB confirmation for the 29/VV interchange project. ID is 9200-06-00. Previous coordination is attached. Not sure if you heard yet or not, but the County got a grant along with some funding commitments from Hobart and Howard to get this interchange completed. So it's on an aggressive schedule with the plan for construction in 2020. You'll be hearing more in the near future, and we will need to go out and update our previous wetland determination, but for now I just need the NLEB/RPBB check so I can do the section 7 coordination. We will also need an update to the prelim comments, or an updated confirmation that it's still valid, but that request will likely come from Ayres or KL.

Two other species popped up. Dwarf Lake Iris, which I can say habitat is not present. The other species that popped up on the federal list was the Red Knot, which appears to just migrate through WI, and very unlikely to be inhabiting this area based on what I read. But if you have any concerns with the Red Knot let me know that too. It doesn't appear that it's even tracked in the NHI from what I saw on the DNR website.

Thanks!

Mike

**Mike Helmrick**  
Region Environmental Coordinator  
Wisconsin Department of Transportation

## Helmrick, Michael - DOT

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**From:** Doperalski, James P - DNR  
**Sent:** Friday, July 01, 2016 3:39 PM  
**To:** Dave Tollefson  
**Cc:** Ternes, Matthew - DOT; Robillard, Troy; Helmrick, Michael - DOT; Scott Cramer  
**Subject:** RE: STH 29 (WisDOT ID 9200-06-00)

It doesn't appear that there are any major changes compared to what I reviewed in 2011. I did do a new NHI review this afternoon and didn't find any new records. The only change is that the Blanding's Turtle has been reclassified as State Special Concern rather than State Threatened. My initial review letter should still be valid.

**We are committed to service excellence.**

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

**James P. Doperalski Jr.**

Cell Phone: (920) 412-0165

James.Doperalski@wisconsin.gov

---

**From:** Dave Tollefson [mailto:DTollefson@KLEngineering.com]  
**Sent:** Friday, July 01, 2016 2:39 PM  
**To:** Doperalski, James P - DNR  
**Cc:** Ternes, Matthew - DOT; Robillard, Troy; Helmrick, Michael - DOT; Scott Cramer  
**Subject:** STH 29 (WisDOT ID 9200-06-00)

Mr. Doperalski

As detailed in previous correspondence, the Wisconsin Department of Transportation (WisDOT) is in the process of developing plans for the conversion of STH 29 in Brown County to freeway standards. WisDOT is currently preparing an environmental document that will assess the potential effects of the project. Please see the attached DNR/DOT Project Review Request, and send any comments to myself and Matt Ternes (WisDOT Project Manager).

I.D. 9200-06-00  
CTH U – Woodland Rd  
STH 29  
Brown County

Please do not hesitate to ask any follow-up questions on the scope of this project. Thanks in advance for your time and cooperation.

Dave Tollefson  
Environmental Specialist

KL Engineering, Inc.  
5950 Seminole Centre Ct., Suite 200  
Madison, WI 53711  
608.663.1218  
[dtollefson@klengineering.com](mailto:dtollefson@klengineering.com)





January 7, 2011

DOT: Brown, 7304

Daniel Segerstrom  
Wisconsin Department of Transportation  
944 Vanderperren Way  
Green Bay, WI 54324-0080

SUBJECT: DOT/DNR Initial Project Review  
Project I.D.#: 9200-06-00  
Project Title: STH 29 Freeway Conversion  
Location: CTH U – Woodland Road  
County: Brown

Dear Mr. Segerstrom:

Preliminary information on the above referenced project has been reviewed by DNR Northeast Region staff under the DOT/DNR Cooperative Agreement. This project includes construction of a diamond interchange approximately 1600 feet west of existing CTH VV/STH 29 intersection, a new overpass that will extend North Pine Tree Road over STH 29 to Milltown Road, closure of CTH U/STH 29 intersection, and construction of an overpass at the existing CTH U/STH 29 intersection location. Pertinent environmental considerations are presented below:

#### WETLANDS

According to the DNR Surface Water Data Viewer there are mapped wetlands within the project boundary. During an onsite visit on December 29, 2010 I could not assess much of the vegetation due to snow cover. A wetland delineation will be needed to define any wetland limits within the project boundary.

#### WILDLIFE/FISHERIES

Much of the area appeared to be agricultural fields. There are some wooded areas and wooded fencerows that probably provide cover for wildlife. According to the DNR Surface Water Data Viewer there are two unnamed waterways near the project. One waterway, which is associated with the CTH VV/STH 29 Interchange, is a tributary to Trout Creek. The second waterway, which is associated with the Pine Tree Road extension Overpass, is a tributary to Lancaster Creek. There are plans to improve Trout Creek habitat for trout and Lancaster is currently classified as trout water. These waterways probably act as wildlife corridors. Depending on the project limits these waterways may be impacted, which would require further coordination.

#### ENDANGERED RESOURCES

There are recent records for a Migratory Bird Concentration Site close to this location as well as records for both State Threatened Blanding's turtle (*Emydoidea blandingii*) and State Threatened wood turtle (*Glyptemys insculpta*). The Department recommends that clearing of any wooded area be kept to a minimum to minimize impacts to the Migratory Bird Concentration Site as migratory birds will use the trees to rest and perch.

For the two State Threatened turtle species both species are known to inhabit the waterways and their riparian corridors. It is reasonable to assume that these turtles may be present at or near the project site if the project limits extend to the waterways discussed above.

If project construction will start in the spring, the perimeter of the areas to be disturbed that are along the riparian corridors should be protected with properly trenched-in silt fence prior to March 15 to discourage turtles from entering the work area. If the construction area cannot be silt-fenced by March 15, the silt fence must be installed prior to construction activities and the area behind the silt fence must be surveyed and any turtles confined within the project area removed prior to any site disturbance, and throughout the construction period.

## FLOODPLAINS

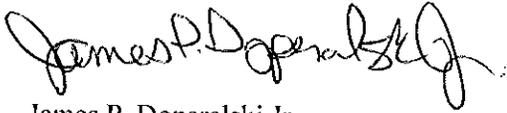
A determination must be made as to whether the project lies within a mapped/zoned floodplain. If the project lies in such an area, DNR required submittal of the results of a 100 year flood analysis for the structure(s). Also, if the new structure(s) will create an increase in the 100 year backwater condition, DNR requires that all affected upstream landowners be notified, and appropriate legal arrangements made. For areas lying outside mapped/zoned floodplain, DNR may request the results of DOT flow and backwater calculations. For project-specific information, please consult with the Brown County Zoning Administrator.

## OTHER COMMENTS

1. It will be important to coordinate this project with the surrounding municipalities due to the potential of both secondary and cumulative effects, such as new access roads or new development, associated with this project.
2. The environmental document regarding this project should discuss planned development from the local municipalities as a result of this project.
3. Conditions stated in all previous DNR correspondence regarding this project shall apply.
4. There is potential for wetland impacts to occur as a result of this project and therefore wetland impacts must be minimized and/or avoided to the greatest extent possible. Unavoidable wetland impacts must be mitigated in accordance to the DOT/DNR Cooperative Agreement and the Wisconsin Department of Transportation Wetland Mitigation Banking Technical Guideline. The Department requests information regarding the amount of unavoidable wetland impacts.
5. All demolition material generated as a result of this project must be disposed of according to state law.
6. There are known invasive plant species within the project limits. All equipment must be disinfected prior to arriving to and upon completion of the project in the areas with known invasive species to prevent the spread of invasive/exotic species and viruses. Please have the contractor follow these steps:
  - a. Inspect equipment and remove any vegetation (fragments, stems, leaves, or roots) or mud and dispose of debris prior to leaving the point of origin;
  - b. Drain any trapped water;
  - c. Wash all equipment (inside and out) with high pressure hot water (> 104 degree Fahrenheit), or;
  - d. Dry the equipment thoroughly for 5 days.
7. Proper erosion control measures must be used and maintained during and after construction. An erosion control implementation plan for the project must be developed by the contractor and submitted to this office 14 days prior to the preconstruction conference.

The above comments represent the Department's initial concerns for the proposed project and do not constitute final concurrence. Final concurrence will be granted after review of plans and further consultation if necessary. If any of the concerns or information provided in this letter requires further clarification, please contact this office at (920) 662-5119.

Sincerely,

A handwritten signature in black ink, appearing to read "James P. Doperalski Jr.", written in a cursive style.

James P. Doperalski Jr.  
Environmental Analysis and Review Specialist

- c. Mike Helmrick – DOT NER, Green Bay  
Matt Schaeve – Green Bay  
File: 7304

### 3: Official Species List



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Green Bay Ecological Services Field Office  
2661 Scott Tower Drive  
New Franken, WI 54229-9565  
Phone: (920) 866-1717 Fax: (920) 866-1710

In Reply Refer To:  
Consultation Code: 03E17000-2019-SLI-0629  
Event Code: 03E17000-2019-E-01408  
Project Name: 9200-06-00 WIS 29/County VV Interchange

March 13, 2019

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

## To Whom It May Concern:

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

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

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

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

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

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

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

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

Attachment(s):

- Official Species List

# Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Green Bay Ecological Services Field Office**

2661 Scott Tower Drive  
New Franken, WI 54229-9565  
(920) 866-1717

## Project Summary

Consultation Code: 03E17000-2019-SLI-0629

Event Code: 03E17000-2019-E-01408

Project Name: 9200-06-00 WIS 29/County VV Interchange

Project Type: TRANSPORTATION

Project Description: The project will replace the at grade intersection of WIS 29 and County VV with a diamond Interchange. The project will also close access to WIS 29 from County U. Construction is planned for 2020.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/44.57673160199127N88.17383216444262W>



Counties: Brown, WI | Outagamie, WI

# Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

## Birds

NAME	STATUS
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened

## Flowering Plants

NAME	STATUS
Dwarf Lake Iris <i>Iris lacustris</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/598">https://ecos.fws.gov/ecp/species/598</a>	Threatened

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

#### 4: Effect Determinations for Federally Listed Species

9200-06-00  
WIS 29  
WIS 29/County VV Interchange  
Brown County, WI

**Effect Determination for Federally Listed Species:**

<b>Species Common Name</b>	<b>Species Scientific Name</b>	<b>Effect Determination</b>	<b>Justification</b>
Dwarf Lake Iris	<i>Iris lacustris</i>	No effect	No occurrence in NHI and habitat is not present.
Red Knot	<i>Calidris canutus rufa</i>	No effect	No occurrence in NHI and habitat is not present.
Northern Long-Eared Bat	<i>Myotis septentrionalis</i>	May effect, but will not result in a prohibited take	Activity will not remove a known roost tree or any other tree within 150 feet of a known maternity roost tree from June 1 – July 31. Activity is not within 0.25 miles of known hibernacula.

# American Indian Tribe Coordination

December 20, 2010

«First» «Last»  
«Title»  
«Company»  
«Add1»  
«Add2»  
«City», «ST» «Zip»

RE: WisDOT ID 9200-06-00  
Freeway Conversion  
CTH U – Woodland Road  
STH 29  
Brown County

Dear «T» «Last»:

The Wisconsin Department of Transportation (WisDOT) is initiating a freeway conversion study on STH 29 in Brown County. A project location map is enclosed. This project involves the following:

- Construction of a diamond interchange at CTH VV and STH 29, located approximately 1,600 feet west of the existing CTH VV/STH 29 intersection. This interchange will connect to Marley Street to the north and CTH VV to the south. Milltown Road will be realigned to intersect with Marley Street at the existing Millwood Court/Marley Street intersection.
- Construction of a new overpass that will extend North Pine Tree Road from Sunlite Drive on the south terminus, to Milltown Road on the north terminus. This new overpass is located approximately 6,600 feet east of the intersection of CTH VV/STH 29.
- Closure of the STH 29 intersection with CTH U. An overpass of STH 29 will be constructed at the current STH 29/CTH U intersection. This work includes the realignment of approximately 1,400 feet of Old Highway 29.

A public information meeting will be held in April 2011 to familiarize interested parties with the project. In the near future, cultural resource investigation studies will be conducted for the above project. These investigations will enable WisDOT to determine whether historical properties as defined in 36 CFR 800 are located in the project area. Other environmental studies will also be conducted and may include; endangered species survey, contaminated material investigations, soil testing, and right-of-way surveys. Information obtained from these studies will assist the engineers in the design to avoid, minimize or mitigate the proposed project's effect upon cultural and natural resources.

We would be pleased to receive any comments regarding this project or information you wish to share pertaining to cultural resources located in the area. If your tribe would like to become a consulting party under Section 106 of the National Historic Preservation Act or if you would like to receive additional information regarding this proposed project, please contact:

**Daniel Segerstrom**  
**WisDOT Project Manager, NE Region**  
**944 Vanderperren Way**  
**Green Bay, WI 54324**  
**(920) 492-5623**

Sincerely,



Daniel Segerstrom  
WisDOT Project Manager

cc: Eugene S. Johnson, Bureau of Equity and Environmental Services  
James Becker, Bureau of Equity and Environmental Services  
Bruce Ommen, Ayres Associates  
KL Engineering

T	First	Last	Company	Title	Add1	Add2	City	ST	Zip	Phone
Ms.	Edith	Leoso	Bad River Band of Lake Superior Chippewa Indians of Wisconsin	THPO	Chippewa Indians - WI	PO Box 39	Odanah	WI	54861	715-682-7111
Mr.	Mike	Alloway	Forest County Potawatomi Community of Wisconsin		Tribal Office	PO Box 340	Crandon	WI	54520	715-478-7200
Mr.	William	Quackenbush	Ho-Chunk Nation	THPO	Executive Offices	405 Airport Rd (Box 667)	Black River Falls	WI	54615	715-284-9343
Ms.	Joyce	Miller	Iowa Tribe of Oklahoma	Attn: Cultural Preservation Department	RR1	Box 721	Perkins	OK	74059	405-547-2402 (Ext 243)
Mr.	Jerry	Smith	Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin	THPO	Chippewa Indians – WI (Tribal Historic Preservation Office)	13394 W. Trepania Road	Hayward	WI	54843	715-634-8934 (Ext 262)
Ms.	Melinda	Young	Lac du Flambeau Band of Lake Superior Chippewa Indians of Wisconsin	THPO	Chippewa Indians – WI (Tribal Office)	PO Box 67	Lac du Flambeau	WI	54538	715-588-3303
Mr.	giiwegiizhigookway	Martin	Lac Vieux Desert Band of Lake Superior Chippewa Indians	Ketegitigaaning Ojibwe Nation/THPO	Chippewa Indians	PO Box 249	Watersmeet	MI	49969	
Mr.	David	Grignon	Menominee Indian Tribe of Wisconsin	THPO	W3426 CTH V V West	PO Box 910	Keshena	WI	54135	715-799-5114
Ms.	Corina	Burke	Oneida Tribe of Indians of Wisconsin	THPO	Tribal Office	PO Box 365	Oneida	WI	54155	
Mr.	Michael	Allen	Great Lakes Inter-Tribal Council	Executive Director	PO Box 9		Lac du Flambeau	WI	54538	
Mr.	Troy	Parr	Oneida Tribe of Indians of Wisconsin		Little Bear Development Center	N7332 Water Circle Place, PO Box 365	Oneida	WI	54155	
Mr.	Joseph	Hale, Jr.	Prairie Band Potawatomi Nation	Historic Preservation Officer		16281 Q Road	Mayetta	KS	66509	785-966-4019
Mr.	Larry	Balber	Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin	THPO	Chippewa Indians – WI (Red Cliff Council)	88385 Pike Rd	Bayfield	WI	54814	715-779-3700
Ms.	Jane	Nioce	Sac and Fox Nation of Missouri in Kansas and Nebraska	Museum Director	In Kansas & Nebraska	305 N. Main	Reserve	KS	66434	785-742-7471
Ms.	Sandra	Massey	Sac and Fox Nation of Oklahoma	NAGPRA Representative		RT 2, Box 246	Stroud	OK	74079	888-336-4692
Mr.	Jonathon	Buffalo	Sac and Fox of the Mississippi in Iowa	NAGPRA Representative	In Iowa	349 Meskwaki Rd	Tama	IA	52339	641-484-4678
			Sokaogon Chippewa Community Mole Lake Band	Attn: Cultural Resource Director	Mole Lake Band	3051 Sand Lake Road	Crandon	WI	54520	715-478-7500
Ms.	Wanda	McFaggen	St. Croix Band Chippewa Indians of Wisconsin	THPO	Tribal Office	24663 Angeline Avenue	Webster	WI	54893	715-349-2195 (Ext 238)

July 9, 2015

«First» «Last»  
«Title»  
«TRIBE»  
«Add1»  
«Add2»  
«City», «ST» «Zip»

RE: WisDOT ID 9200-06-00  
Freeway Conversion  
CTH U – Woodland Road  
STH 29, Brown County

Dear «T» «Last»:

The Wisconsin Department of Transportation (WisDOT) is in the process of developing plans for the conversion of WIS 29 in Brown County to freeway standards. A project location map is enclosed.

Your tribe was previously contacted regarding this project in May of 2011. Any previous comments your tribe provided WisDOT regarding this project are enclosed. We are requesting that your tribe review your previous comments to determine if those comments are still relative and to provide any additional comments you may have.

This project involves the following:

- Construction of a diamond interchange at CTH VV and STH 29, located approximately 1,600 feet west of the existing CTH VV/STH 29 intersection. This interchange will connect to Marley Street to the north and CTH VV to the south. Milltown Road will be realigned to intersect with Marley Street at the existing Millwood Court/Marley Street intersection.
- Construction of a new overpass that will extend North Pine Tree Road from Sunlite Drive on the south terminus, to Milltown Road on the north terminus. This new overpass is located approximately 6,600 feet east of the intersection of CTH VV/STH 29.
- Closure of the STH 29 intersection with CTH U. An overpass of STH 29 will be constructed at the current STH 29/CTH U intersection. This work includes the realignment of approximately 1,400 feet of Old Highway 29.

We would be pleased to receive any comments regarding this project or information you wish to share pertaining to cultural resources located in the area. If your tribe would like to become a consulting party under Section 106 of the National Historic Preservation Act or if you would like to receive additional information regarding this proposed project, please contact me at me at 944 Vanderperren Way, Green Bay, WI 54304 or by phone at (920) 492-3500.

Sincerely,



Matt Ternes  
WisDOT Project Manager

cc: James Becker, DTSD Bureau of Technical Services, Environmental Services Section  
Matt Ternes, WisDOT Project Manager  
Mike Helmrick, Environmental Coordinator, WisDOT Northeast Region  
Troy Robillard, Ayres Associates  
KL Engineering, Inc.

T	FIRST	LAST	TITLE	TRIBE	ADD1	ADD2	CITY	ST	ZIP
Ms.	Edith	Leoso	THPO	Bad River Band of Lake Superior	Chippewa Indians - WI	PO Box 39	Odanah	WI	54861
Ms.	Melissa	Cook	THPO	Forest CO Potawatomi Community – WI	Tribal Office	PO Box 340	Crandon	WI	54520
Mr.	LeRoy	Defoe	THPO	Fond du Lac Band of	Lake Superior Chippewa	1720 Big Lake Road	Cloquet	MN	55720
Mr.	William	Quackenbush	THPO	Ho-Chunk Nation	Executive Offices	PO Box 667	Black River Falls	WI	54615
Mr.	Jerry	Smith	THPO	Lac Courte Oreilles Band - Lake Superior	Chippewa Indians – WI Tribal Office	13394 W. Trepania Road	Hayward	WI	54843
Ms.	Melinda	Young	THPO	Lac Du Flambeau Band - Lake Superior	Chippewa Indians – WI (Tribal Historic Preservation Office)	PO Box 67	Lac du Flambeau	WI	54538
Mr.	David	Grignon	THPO	Menominee Indian Tribe of Wisconsin	W3426 CTH V V West	PO Box 910	Keshena	WI	54135
Ms.	Corina	Williams	THPO	Oneida Tribe of Indians of Wisconsin	Tribal Office	PO Box 365	Oneida	WI	54155
Mr.	Larry	Balber	THPO	Red Cliff Band of Lake Superior	Chippewa Indians – WI	88385 Pike Rd, HWY 13	Bayfield	WI	54814
Ms.	Wanda	McFaggen		St. Croix Band Chippewa Indians – WI	Tribal Historic Preservation Office	24663 Angeline Avenue	Webster	WI	54893
			Cultural Resource Director	Sokaogon Chippewa Community	Mole Lake Band	3051 Sand Lake Road	Crandon	WI	54520
Ms.	Sherry	White	THPO	Stockbridge Munsee Community of WI	Tribal Office	W13447 Camp 14 Road	Bowler	WI	54416
Ms.	Sandra	Massey	NAGPRA Representative	Sac & Fox Nation of Oklahoma		RR 2, Box 246	Stroud	OK	74079
Mr.	Edmore	Green		Sac & Fox Nation of Missouri	In Kansas & Nebraska	305 N. Main	Reserve	KS	66434
Mr.	Jonathon	Buffalo	NAGPRA Representative	Sac & Fox of the Mississippi	In Iowa	349 Meskwaki Road	Tama	IA	52339
			Cultural Preservation Office	Iowa Tribe of Oklahoma		RR 1, Box 721	Perkins	OK	74059
Ms.	Hattie	Mitchell		Prairie Band Potawatomi Nation		16281 Q Road	Mayetta	KS	66509
Mr.	giiwegiizhigookway	Martin	Ketegitigaaning Ojibwe Nation/THPO	Lac Vieux Desert Band - Lake Superior	Chippewa Indians	PO Box 249	Watersmeet	MI	49969

July 22, 2016

«First» «Last»  
«Title»  
«TRIBE»  
«Add1»  
«Add2»  
«City», «ST» «Zip»

RE: WisDOT ID 9200-06-00  
Freeway Conversion  
CTH U – Woodland Road  
STH 29, Brown County

Dear «T» «Last»:

The Wisconsin Department of Transportation (WisDOT) is in the process of developing plans for the conversion of WIS 29 in Brown County to freeway standards. A project location map is enclosed.

Your tribe was previously contacted regarding this project in May of 2011; project updates were sent in July 2015. Any previous comments your tribe provided WisDOT regarding this project are enclosed. We are requesting that your tribe review your previous comments to determine if those comments are still relative and to provide any additional comments you may have.

This project involves the following:

- Construction of a diamond interchange at CTH VV and STH 29, located approximately 1,600 feet west of the existing CTH VV/STH 29 intersection. This interchange will connect to Marley Street to the north and CTH VV to the south. Milltown Road will be realigned to intersect with Marley Street at the existing Millwood Court/Marley Street intersection.
- Construction of a new overpass that will extend North Pine Tree Road from Sunlite Drive on the south terminus, to Milltown Road on the north terminus. This new overpass is located approximately 6,600 feet east of the intersection of CTH VV/STH 29.
- Closure of the STH 29 intersection with CTH U. An overpass of STH 29 will be constructed at the current STH 29/CTH U intersection. This work includes the realignment of approximately 1,400 feet of Old Highway 29.

We would be pleased to receive any comments regarding this project or information you wish to share pertaining to cultural resources located in the area. If your tribe would like to become a consulting party under Section 106 of the National Historic Preservation Act or if you would like to receive additional information regarding this proposed project, please contact me at me at 944 Vanderperren Way, Green Bay, WI 54304 or by phone at (920) 366-3028.

Sincerely,



Matt Ternes  
WisDOT Project Manager

cc: Matt Ternes, WisDOT Project Manager  
Mike Helmrick, Environmental Coordinator, WisDOT Northeast Region  
James Becker, WisDOT BTS-ESS

T	FIRST	LAST	TITLE	TRIBE	ADD1	ADD2	CITY	ST	ZIP
Ms.	Edith	Leoso	THPO	Bad River Band of Lake Superior	Chippewa Indians - WI	PO Box 39	Odanah	WI	54861
Ms.	Melissa	Cook	THPO	Forest CO Potawatomi Community – WI	Tribal Office	PO Box 340	Crandon	WI	54520
Mr.	Marcus	Ammesmaki	THPO	Fond du Lac Band of	Lake Superior Chippewa	1720 Big Lake Road	Cloquet	MN	55720
Mr.	William	Quackenbush	THPO	Ho-Chunk Nation	Executive Offices	PO Box 667	Black River Falls	WI	54615
Mr.	Jerry	Smith	THPO	Lac Courte Oreilles Band - Lake Superior	Chippewa Indians – WI Tribal Office	13394 W. Trepania Road	Hayward	WI	54843
Ms.	Melinda	Young	THPO	Lac Du Flambeau Band - Lake Superior	Chippewa Indians – WI (Tribal Historic Preservation Office)	PO Box 67	Lac du Flambeau	WI	54538
Mr.	David	Griqnon	THPO	Menominee Indian Tribe of Wisconsin	W3426 CTH V V West	PO Box 910	Keshena	WI	54135
Ms.	Corina	Williams	THPO	Oneida Tribe of Indians of Wisconsin	Tribal Office	PO Box 365	Oneida	WI	54155
Mr.	Larry	Balber	THPO	Red Cliff Band of Lake Superior	Chippewa Indians – WI	88385 Pike Rd, HWY 13	Bayfield	WI	54814
Ms.	Wanda	McFaggen		St. Croix Band Chippewa Indians – WI	Tribal Historic Preservation Office	24663 Angeline Avenue	Webster	WI	54893
Mr.	Adam	VanZile	THPO	Sokaogon Chippewa Community	Mole Lake Band	3051 Sand Lake Road	Crandon	WI	54520
Ms.	Sandra	Massey	NAGPRA Representative	Sac & Fox Nation of Oklahoma		RR 2, Box 246	Stroud	OK	74079
Mr.	Gary	Bahr		Sac & Fox Nation of Missouri	In Kansas & Nebraska	305 N. Main	Reserve	KS	66434
Mr.	Jonathon	Buffalo	NAGPRA Representative	Sac & Fox of the Mississippi	In Iowa	349 Meskwaki Road	Tama	IA	52339
			Cultural Preservation Office	Iowa Tribe of Oklahoma		RR 1, Box 721	Perkins	OK	74059
Ms.	Hattie	Mitchell	THPO	Prairie Band Potawatomi Nation		16281 Q Road	Mayetta	KS	66509
Mr.	Art	Owen	THPO	Prairie Island Indian Community		6392 Sturgeon Lake Road	Welch	MN	55089
Mr.	giwegiizhigookway	Martin	Ketegitigaaning Ojibwe Nation/THPO	Lac Vieux Desert Band - Lake Superior	Chippewa Indians	PO Box 249	Watersmeet	MI	49969
<b>CC:</b>									
Mr.	Matt	Ternes	WisDOT Project Manager	WisDOT – NE Region (Green Bay Office)	944 Vanderperren Way		Green Bay	WI	54304
Mr.	Mike	Helmrick	Environmental Coordinator	WisDOT – NE Region (Green Bay Office)	944 Vanderperren Way		Green Bay	WI	54304
Mr.	James	Becker	WisDOT BTS-ESS	WisDOT – Central Office	4802 Sheboygan Avenue		Madison	WI	53707

**WisDOT Division of Transportation System  
Development**  
Northeast Region  
944 Vanderperren Way  
Green Bay, WI 54304

**Governor Tony Evers  
Secretary Craig Thompson**  
[wisconsindot.gov](http://wisconsindot.gov)  
Telephone: (920)492-5643  
FAX: (920)492-5640  
Email: [ner.dtsd@dot.wi.gov](mailto:ner.dtsd@dot.wi.gov)



March 21, 2019

«First» «Last»  
«Title»  
«TRIBE»  
«Add1»  
«Add2»  
«City», «ST» «Zip»

Re: notice of federal undertaking and request for comments under 36 CFR 800  
9200-10-00  
Shawano – Green Bay  
CTH VV Interchange  
WIS 29  
Brown County

The Wisconsin Department of Transportation (WisDOT), in cooperation with the Federal Highway Administration, is considering an undertaking located on WIS 29 in Brown County. The proposed undertaking may consist of:

- Closure of the existing at-grade intersection of WIS 29 and County VV. Construction of a diamond interchange at County VV and WIS 29; located approximately 1,700 feet west of the existing County VV/WIS 29 intersection. This interchange will connect with Marley Street to the north and County VV to the south. Roundabouts will be constructed at the County VV/WIS 29 eastbound ramp terminus, and the Marley Street/WIS 29 westbound ramp terminus.
- Milltown Road will be realigned to intersect with Marley Street at a roundabout located approximately 375 feet south of the existing Millwood Court/Marley Street intersection.
- County VV (Triangle Drive) will be realigned to intersect with a roundabout located approximately 1,000 feet south of the roundabout at County VV and the WIS 29 eastbound terminus. A new roadway will be constructed on the south leg of this roundabout, providing a connection to North Overland Road.
- A cul-de-sac will be constructed at the intersection of North Overland Road and Triangle Drive.
- Closure of the WIS 29 intersection with County U (County Line Road). On the north side of WIS 29, County Line Road will end at Glendale Avenue, and on the south side of WIS 29, County Line Road will connect to Old Wisconsin 29.
- Installation of a broad band fiber optic line that has two possible routes (see attached)

Your tribe has requested to be notified of undertakings in this area of Wisconsin. Attached is information regarding the proposed undertaking to assist you in providing comments regarding the determination of the area of potential effect (APE) and potential impacts to historic properties and/or burial sites.

WisDOT would be pleased to receive any comments your tribe wishes to share regarding the determination of the APE or potential impacts to historic properties and/or burials in this undertaking. Also, other environmental studies may be conducted to include endangered species survey, contaminated material investigations, soil testing and right-of-way surveys. Results of these studies will assist the engineers in the design to avoid, minimize or mitigate the proposed project's effect upon cultural and natural resources. To ensure your comments are considered during this phase of project development, WisDOT requests a response within 30 days of receipt of this letter.

Your tribe was previously contacted regarding this project under ID 9200-06-00. Initial coordination occurred in May of 2011; project updates were also sent in July 2015 and July 2016.

If your tribe wishes to become a consulting party under Section 106 of the National Historic Preservation Act or would like to receive additional information regarding this proposed project, please contact WisDOT Project Manager Matt Ternes at 944 Vanderperren Way, Green Bay, WI 54304 or by phone at (920) 366-3028.

Sincerely,

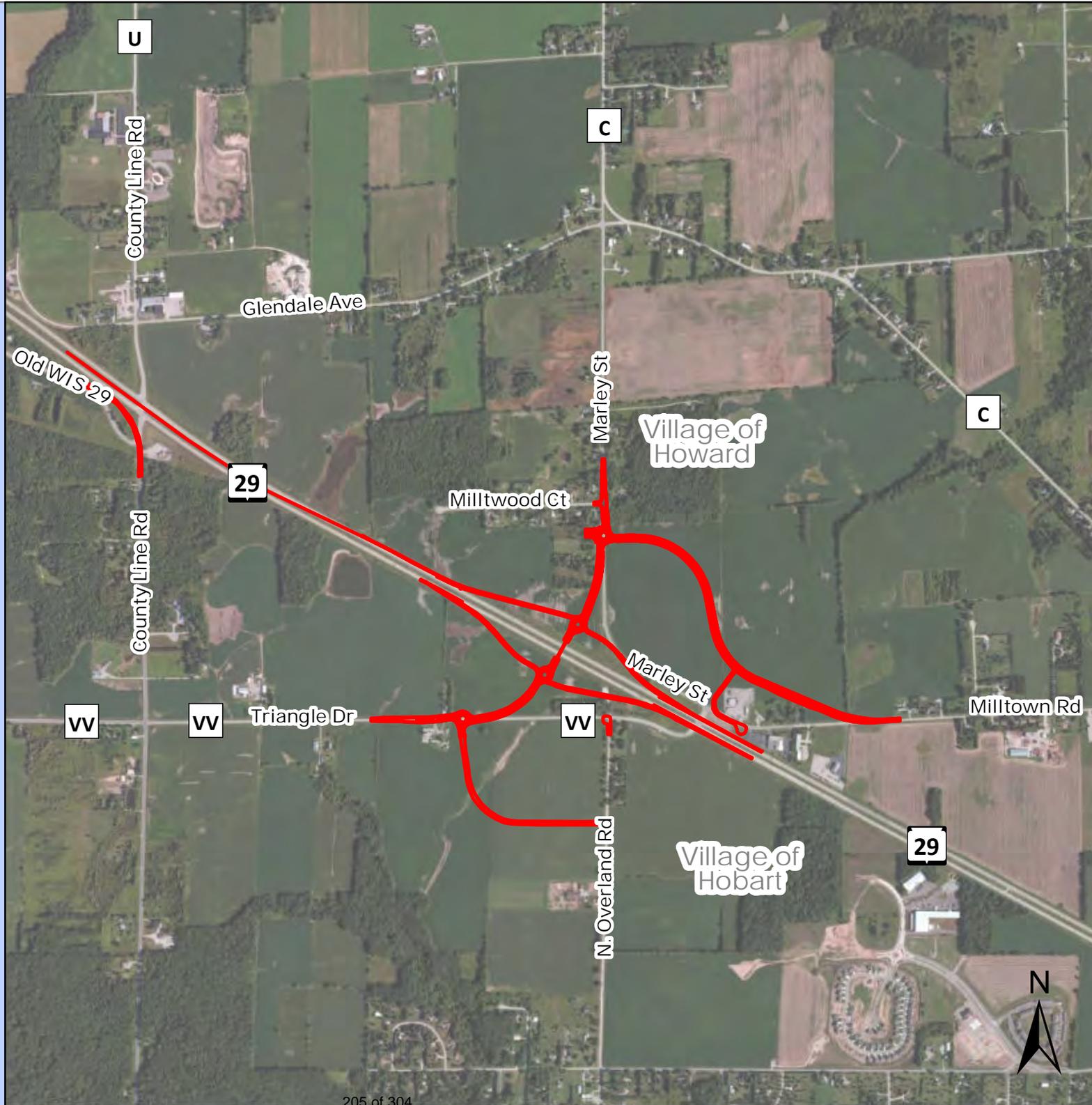
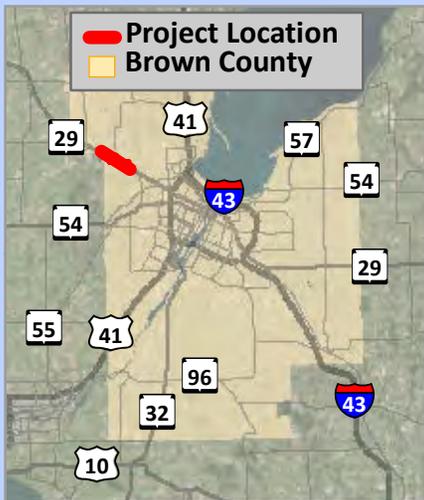
A handwritten signature in black ink, appearing to read "Matt Ternes". The signature is written in a cursive style with a large, stylized "T" and "S".

Matt Ternes  
WisDOT Project Manager

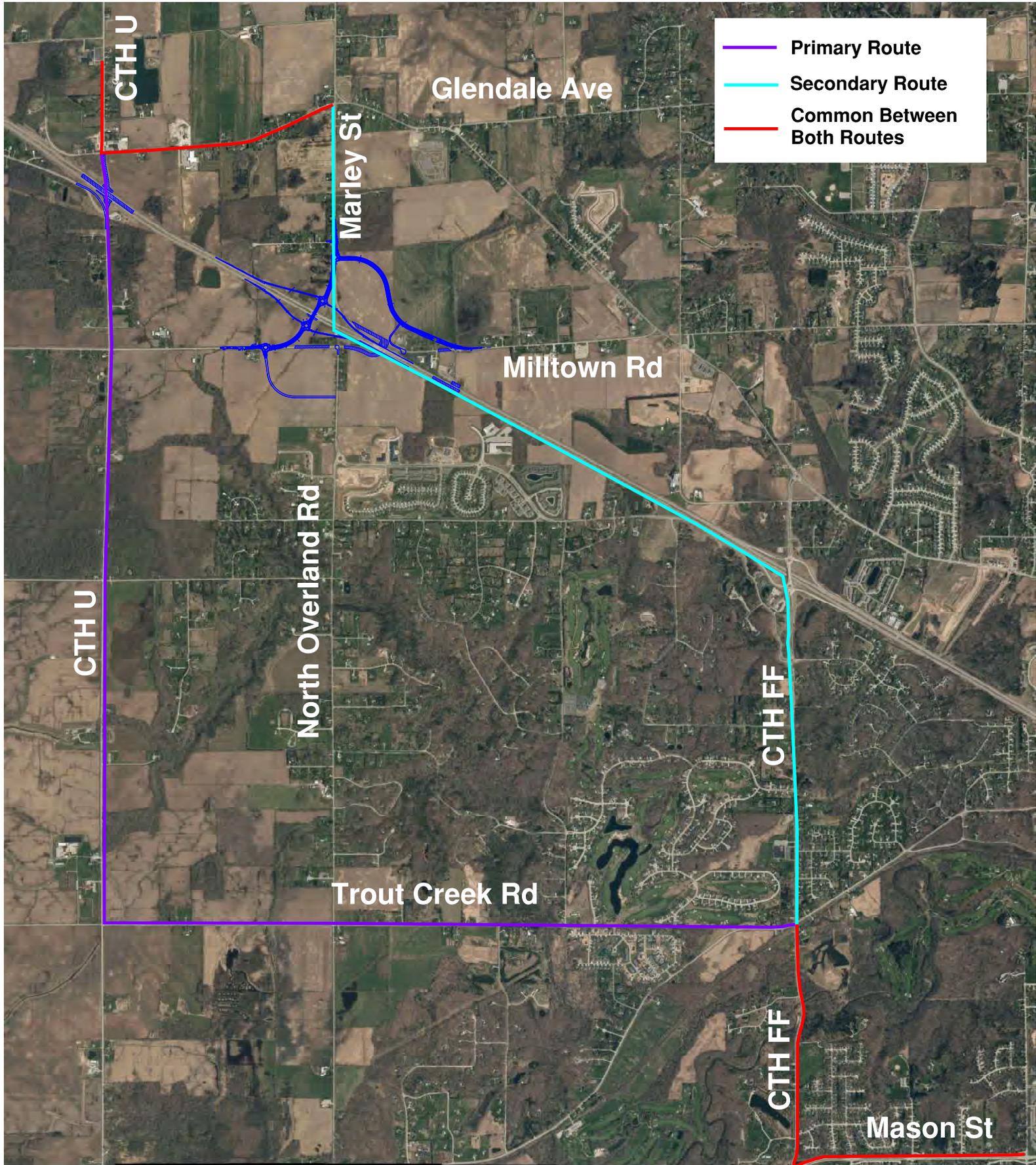
cc: bees.cr@dot.wi.gov  
Matt Ternes, WisDOT Project Manager  
Mike Helmrick, Environmental Coordinator, WisDOT Northeast Region  
Ayres Associates

# Project Location Map

WIS 29  
(CTH U to Woodland Rd)  
Brown County  
Project I.D. 9200-06-00



# Brown County Broadband Fiber Possible Routes



Bad River Band of Lake Superior Chippewa Indians of Wisconsin  
Attn: Edith Leoso, THPO  
P.O. Box 39  
Odanah, WI 54861

Forest County Potawatomi Community of Wisconsin  
Attn: Michael LaRonge, THPO  
Tribal Office  
P.O. Box 340  
Crandon, WI 54520

Fond du Lac Band of Lake Superior Chippewa  
Attn: Marcus Ammesmaki  
1720 Big Lake Road  
Cloquet, MN 55720

Ho-Chunk Nation  
Attn: William Quackenbush, THPO  
Executive Offices  
P.O. Box 667  
405 Airport Road  
Black River Falls, WI 54615

Lac Courte Oreilles Band – Lake Superior  
Attn: Robert Sander, THPO  
Chippewa Indians – WI Tribal Office  
13394 W. Trepania Road  
Hayward, WI 54843

Lac du Flambeau Band – Lake Superior  
Attn: Melinda Young, THPO  
Chippewa Indians – WI  
P.O. Box 67  
Lac du Flambeau, WI 54538

Menominee Indian Tribe of Wisconsin  
Attn: David Grignon, THPO  
W3426 CTH V V West  
P.O. Box 910  
Keshena, WI 54135

Oneida Tribe of Indians of Wisconsin  
Attn: Corina Williams  
Tribal Office  
P.O. Box 365  
Oneida, WI 54155

Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin  
Attn: Larry Balber, THPO  
Red Cliff Band of Lake Superior Chippewa Indians  
88385 Pike Road, Highway 13  
Bayfield, WI 54814

St. Croix Band Chippewa Indians – WI  
Attn: Wanda McFaggen, THPO  
Tribal Historic Preservation Office  
24663 Angeline Avenue  
Webster, WI 54893

Sokaogon Chippewa Community  
Attn: Adam VanZile, THPO  
Mole Lake Band  
3051 Sand Lake Road  
Crandon, WI 54520

Stockbridge Chippewa Community  
Attn: Bonney Hartley, THPO  
Tribal Office  
W13447 Camp 14 Road  
Bowler, WI 54416

Sac and Fox Nation of Oklahoma  
Attn: Sandra Massey, NAGPRA Rep.  
RR 2, Box 246  
Stroud, OK 74079

Sac and Fox Nation of Missouri in Kansas and Nebraska  
Attn: Gary Bahr  
305 North Main  
Reserve, KS 66434

Sac and Fox of the Mississippi in Iowa  
Attn: Jonathan Buffalo, NAGPRA Rep.  
349 Meskwaki Road  
Tama, IA 52339-9629

Iowa Tribe of Oklahoma  
Cultural Preservation Office  
RR 1, Box 721  
Perkins, OK 74059

Prairie Band Potawatomi Nation  
Attn: Hattie Mitchell, NHPA Rep.  
16281 Q Road  
Mayetta, KS 66509

Lac Vieux Desert Band of Lake Superior Chippewa  
Indians  
Attn: giiwegiizhigookway Martin, THPO  
Ketegitigaaning Ojibwe Nation  
P.O. Box 249  
Watersmeet, MI 49969

Prairie Island Indian Community  
Attn: Noah White, THPO  
Minnesota Mdewakanton Sioux  
5636 Sturgeon Lake Road  
Welch, MN 55089

# Stockbridge-Munsee Tribal Historic Preservation Office

Sherry White - Tribal Historic Preservation Officer

W13447 Camp 14 Road

P.O. Box 70

Bowler, WI 54416

Date 5-24-11  
Project Number ID 9200-06-00 Highway Conversion  
TCNS Number \_\_\_\_\_  
Company Name Wis DOT

We have received your letter for the above listed project. Before we can process the request we need more information. The additional items needed are checked below.

## Additional Information Required:

- Site visit by Tribal Historic Preservation Officer
- Archeological survey, Phase 1
- Literature/record search including colored maps
- Pictures of the site
- Any reports the State Historic Preservation Office may have
- Has the site been previously disturbed
- Review fee must be included with letter

If site has been previously disturbed please explain what the use was and when it was disturbed.

Other comments or information needed \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## After reviewing your letter we find that:

\_\_\_\_\_ "No Properties" the Tribe concurs with a Federal agency's finding that there are no National Register eligible or listed properties within the Federal undertaking's area of potential effect or APE 36CFR 800.4 (d) (1)

\_\_\_\_\_ "No Effect" historic or prehistoric properties are present but the Federal undertaking will have no effect on the National Register eligible or listed properties as defined in Sec. 800.16(i)

\_\_\_\_\_ "No Adverse Effect" refers to written opinions provided to a Federal agency as to whether or not the Tribe agrees with (or believes that there should be) a Federal agency finding that its Federal undertaking would have "No Adverse Effect" 36 CFR 800.5(b)

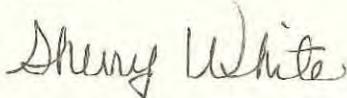
\_\_\_\_\_ "Adverse Effect" refers to written opinions provided to a Federal Agency that undertaking would cause Adverse Effects to the area of potential effect on National Register or eligible properties according to the criteria set forth in 36 CFR 800. 5(a) (1), (2) (i)- (vii)

Project not within a county the Mohican Tribe has interest in

Should this project inadvertently uncover a Native American site, we ask that you halt all construction and notify the Stockbridge-Munsee Tribe immediately.

**Please do not resubmit project for changes that are not ground disturbance.**

Sincerely,



Sherry White  
Tribal Historic Preservation Officer

APPENDIX 5  
SHPO/Section 106 Documentation/  
THPO Coordination



# SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION

Wisconsin Department of Transportation  
DT1635 6/2014

**SHPO**

RECEIVED  
JUN 14 2019

For instructions, see [FDM Chapter 26](#).

## I. PROJECT INFORMATION

Amended Submittal (include new information only)

Project ID 9200-10-00 / (original submittal) 9200-06-00	Highway – Street STH 29	County Brown, Outagamie
Project Termini Shawano to Green Bay	Region – Office Northeast	
Regional Project Engineer – Project Manager Matt Ternes	(Area Code) Telephone Number 920-366-3028	
Consultant Project Engineer – Project Manager Troy Robillard, Ayres Associates	(Area Code) Telephone Number 920-498-1200	
Archaeological Consultant Jennifer Haas, UWM - Cultural Resources Management	(Area Code) Telephone Number 414-229-3396	
Architecture/History Consultant Justin Miller, UWM - Cultural Resources Management	(Area Code) Telephone Number 414-229-3078	
Date of Need July 1, 2019	SHSW Number 14-0184 / BR / 00	
Return a Signed Copy of This Form to Matt Ternes, WisDOT NE Region Project Manager		

## II. PROJECT DESCRIPTION

Project Length 1.9 miles	Land to be Acquired: Fee Simple 57.1 acres	Land to be Acquired: Easement 5.68 acres
-----------------------------	---	---

Distance as measured from existing centerline	Existing	Proposed	Other Factors	Existing	Proposed
Right-of-Way Width			Terrace Width		
STH 29	110'-155'	110'-510'	STH 29	None	N/A
CTH U	33'-70'	33'-70'	CTH U	None	N/A
CTH VV/Marley St.	33'-50'	33'-175'	CTH VV/Marley St.	None	0'-9.5'
Evergreen Ave	N/A	46'-80'	Evergreen Ave	None	0'-9.5'
Centerline Drive		76'-267'	Centerline Drive	None	9.5'
Shoulder			Sidewalk Width		
STH 29	10'	10'	STH 29	None	N/A
CTH U	1'-8"	6'-11'	CTH U	None	N/A
CTH VV/Marley St.	4'-8"	0'-6"	CTH VV/Marley St.	None	0-10'
Evergreen Ave	3'-4"	None	Evergreen Ave	None	0-5'
Centerline Drive	None	None	Centerline Drive	None	5'
Slope Intercept			Number of Lanes		
STH 29		90'-125'	STH 29	4	4
CTH U		33'-66'	CTH U	2	2
CTH VV/Marley St.		33'-170'	CTH VV/Marley St.	2	2
Evergreen Ave		45'-70'	Evergreen Ave	2	2
Centerline Drive		47'-250'	Centerline Drive	2	2
Edge of Pavement			Grade Separated Crossing		
STH 29	32'	32'	STH 29	None	Interchange
CTH U	12'-15'	15'-20'			
CTH VV/Marley St.	11'-15'	12'-17'			
Evergreen Ave	11'-12'	12'-17'			
Centerline Drive	N/A	17'			
Back of Curb Line			Vision Triangle		
STH 29	None	N/A	acres	N/A	N/A
CTH U	None	N/A			
CTH VV/Marley St.	None	19.5'			

Evergreen Ave Centerline Drive	None N/A	19.5' 19.5'			
Realignment	N/A	CTH U, CTH VV, Milltown Rd, and Centerlin e Dr	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

**Brief Narrative Project Description:** Include all ground disturbing activities. For archaeology, include plan view map indicating the maximum area of ground disturbance and/or new right-of-way, whichever is greater. Include all temporary, limited and permanent easements. For amendments (e.g. design refinements, scope changes, etc) description should only include new/added project actions and materials.

Initial agency coordination and preliminary design of the proposed action was conducted under WisDOT project ID 9200-06-00. Preliminary design, environmental analysis, and agency coordination from Project ID 9200-06-00 were carried forward in the current project ID 9200-10-00. A Section 106 Review took place for project ID 9200-06-00 and was approved on 03/06/2014. An archaeological survey field report was completed for some additional disturbed areas outside of the original APE, due to some design refinements. Below are changes in the design that led to changes in the APE:

- County VV and Centerline Drive roundabout was shifted 100' to the east to reduce impacts to adjacent property owner
- A west leg was added to the Marley St and Evergreen Ave roundabout.
- The median along County VV and Marley Street was narrowed from 20 feet to 8 feet.
- Three stormwater detention ponds were added to the project, to handle the stormwater management needs of the project.
- The Evergreen Ave alignment was shifted to the south to reduce the size of the remnant parcels. Milltown Road is now named Evergreen Ave.
- The old Milltown Road connection was shifted to the west side of the Shell gas station for access to the Shell gas station and Maplewood Meats.
- Centerline Drive typical section changed to a boulevard section with sidewalk, and the alignment changed to match into a future roundabout at the North Overland Road intersection.
- A cul-de-sac is being proposed at the Triangle Drive and North Overland Road intersection.
- At the County U and STH 29 intersection, an overpass is no longer being proposed. Instead the County U access to STH 29 will be removed. South of STH 29 a 45-mph curved roadway will connect North County Line Road to Old 29 Road. North of STH 29, County U will end at Glendale Ave.
- The North Pine Tree overpass is no longer included in the scope of this project.

See Appendix 5 – Attachment 2 for display of additional disturbed areas outside of the original APE.

Add continuation sheet, if needed.

**SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION** (continued)

Wisconsin Department of Transportation DT1635

**III. CONSULTATION**

How has notification of the project been provided to:

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Property Owners                   | <input checked="" type="checkbox"/> Historical Societies/Organizations | <input checked="" type="checkbox"/> Native American Tribes |
| <input type="checkbox"/> Public Information Meeting Notice            | <input type="checkbox"/> Public Information Meeting Notice             | <input type="checkbox"/> Public Info. Mtg. Notice          |
| <input checked="" type="checkbox"/> Letter - Required for Archaeology | <input type="checkbox"/> Letter  | <input checked="" type="checkbox"/> Letter                 |
| <input type="checkbox"/> Telephone Call                               | <input checked="" type="checkbox"/> Telephone Call                     | <input type="checkbox"/> Telephone Call                    |
| <input type="checkbox"/> Other:                                       | <input type="checkbox"/> Other:  | <input type="checkbox"/> 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 included all the additional disturbed areas described in the brief narrative, as well as validating those surveyed in the original survey APE, which were at least were at least 40 years old and maintained a degree of integrity, were evaluated for historic significance.

**V. PHASE I – ARCHAEOLOGICAL OR RECONNAISSANCE HISTORY SURVEY NEEDED**

ARCHAEOLOGY	HISTORY
<input checked="" type="checkbox"/> Archaeological survey is needed	<input checked="" type="checkbox"/> Architecture/History survey is needed
<input type="checkbox"/> Archaeological survey is not needed	<input type="checkbox"/> Architecture/History survey is not needed
<input type="checkbox"/> Screening list (date)	<input type="checkbox"/> Screening list (date)
<input type="checkbox"/> Burial site in project area, Wis. Stat. 157.70 applies	<input type="checkbox"/> No structures or buildings of any kind within APE
	<input type="checkbox"/> Non-Survey History Documentation attached

**VI. SURVEY COMPLETED**

ARCHAEOLOGY	HISTORY
<input checked="" type="checkbox"/> NO archaeological sites(s) identified – ASFR attached	<input checked="" type="checkbox"/> NO buildings/structures identified – Report attached
<input type="checkbox"/> NO potentially eligible site(s) in project area – Phase I Report attached	<input type="checkbox"/> Potentially eligible buildings/structures identified in the APE – Report attached
<input type="checkbox"/> Potentially eligible site(s) identified-Phase I Report attached	<input type="checkbox"/> Avoided through redesign
<input type="checkbox"/> Avoided through redesign	<input type="checkbox"/> Previously listed/eligible property identified in the APE – Report attached
<input type="checkbox"/> Phase II conducted – go to VII (Evaluation)	
<input type="checkbox"/> Phase I Report – Cemetery/cataloged burial documentation	

**VII. DETERMINATION OF ELIGIBILITY (EVALUATION) COMPLETED**

<input type="checkbox"/> No arch site(s) eligible for NRHP – Phase II Report attached	<input type="checkbox"/> No buildings/structure(s) eligible for NRHP – DOE attached
<input type="checkbox"/> Arch site(s) eligible for NRHP – Phase II Report attached	<input type="checkbox"/> Building/structure(s) eligible for NRHP – DOE attached
<input type="checkbox"/> Site(s) eligible for NRHP – DOE attached	

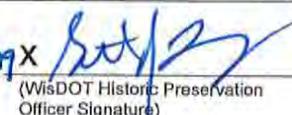
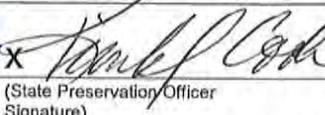
**VIII. COMMITMENTS/SPECIAL PROVISIONS – must be included with special provisions language**

- Per Wis. Stat. 157.70 obtain burial authorization from WHS one year prior to construction.

**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. WisDOT 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.

**X. SIGNATURES**

X 	5/31/19 X 	6-13-19 X 	June 20 2019
(Regional Project Manager Signature)	(Date – m/d/yy)	(WisDOT Historic Preservation Officer Signature)	(Date – m/d/yy)
X 	5/30/19		
(Consultant Project Manager Signature)	(Date – m/d/yy)		

\* see attached for THPO concurrence

**SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION** (continued)

Wisconsin Department of Transportation DT1635

RECEIVED  
JUN 14 2019  
BY: [Signature]

**III. CONSULTATION**

How has notification of the project been provided to:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Property Owners                              | <input type="checkbox"/> Historical Societies/Organizations | <input checked="" type="checkbox"/> Native American Tribes |
| <input type="checkbox"/> Public Information Meeting Notice            | <input type="checkbox"/> Public Information Meeting Notice  | <input type="checkbox"/> Public Info. Mtg. Notice          |
| <input checked="" type="checkbox"/> Letter - Required for Archaeology | <input type="checkbox"/> Letter                             | <input checked="" type="checkbox"/> Letter                 |
| <input type="checkbox"/> Telephone Call                               | <input type="checkbox"/> Telephone Call                     | <input type="checkbox"/> Telephone Call                    |
| <input type="checkbox"/> Other:                                       | <input type="checkbox"/> Other:                             | <input type="checkbox"/> 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.

**V. PHASE I - ARCHAEOLOGICAL OR RECONNAISSANCE HISTORY SURVEY NEEDED**

ARCHAEOLOGY	HISTORY
<input checked="" type="checkbox"/> Archaeological survey is needed	<input type="checkbox"/> Architecture/History survey is needed
<input type="checkbox"/> Archaeological survey is not needed	<input checked="" type="checkbox"/> Architecture/History survey is not needed
<input type="checkbox"/> Screening list (date)	<input type="checkbox"/> Screening list (date)
<input type="checkbox"/> Burial site in project area, Wis. Stat. 157.70 applies	<input type="checkbox"/> No structures or buildings of any kind within APE
	<input type="checkbox"/> Non-Survey History Documentation attached

**VI. SURVEY COMPLETED**

ARCHAEOLOGY	HISTORY
<input checked="" type="checkbox"/> NO archaeological sites(s) identified - ASFR attached	<input type="checkbox"/> NO buildings/structures identified - Report attached
<input type="checkbox"/> NO potentially eligible site(s) in project area - Phase I Report attached	<input type="checkbox"/> Potentially eligible buildings/structures identified in the APE - Report attached
<input type="checkbox"/> Potentially eligible site(s) identified-Phase I Report attached	<input type="checkbox"/> Avoided through redesign
<input type="checkbox"/> Avoided through redesign	<input type="checkbox"/> Previously listed/eligible property identified in the APE - Report attached
<input type="checkbox"/> Phase II conducted - go to VII (Evaluation)	
<input type="checkbox"/> Phase I Report - Cemetery/cataloged burial documentation	

**VII. DETERMINATION OF ELIGIBILITY (EVALUATION) COMPLETED**

<input type="checkbox"/> No arch site(s) eligible for NRHP - Phase II Report attached	<input type="checkbox"/> No buildings/structure(s) eligible for NRHP - DOE attached
<input type="checkbox"/> Arch site(s) eligible for NRHP - Phase II Report attached	<input type="checkbox"/> Building/structure(s) eligible for NRHP - DOE attached
<input type="checkbox"/> Site(s) eligible for NRHP - DOE attached	

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

Per Wis. Stat. 157.70 obtain burial authorization from WHS one year prior to construction.  
 UWM CRM will submit two copies of the ASFR to the Bureau of Indian Affairs, Midwest Regional Office and to the Oneida Nation per the special conditions set forth in ARPA permit number 2014-OND-02.  
*\*Commitment related to original Sec. 106 Submittal.*

**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. WisDOT 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.

**X. SIGNATURES**

<input checked="" type="checkbox"/> [Signature] (Regional Project Manager Signature)	[Signature] (Date - m/d/yy)	<input checked="" type="checkbox"/> [Signature] (WisDOT Historic Preservation Officer Signature)	[Signature] (Date - m/d/yy)	<input checked="" type="checkbox"/> [Signature] 5/20/19 (State Preservation Officer Signature)	[Signature] (Date - m/d/yy)
<input checked="" type="checkbox"/> [Signature] (Consultant Project Manager Signature)	[Signature] (Date - m/d/yy)			THPO - Oneida Nation	

14-6124 / BR / 100

**SECTION 106 REVIEW  
ARCHAEOLOGICAL/HISTORICAL INFORMATION**

Wisconsin Department of Transportation  
DT1635 11/2006

RECEIVED  
**SHPO**

FEB 28 2014

For instructions, see FDM Chapter 26

DIV HIST PRES

**I. PROJECT INFORMATION**

Project ID 9200-06-00	Highway - Street STH 29	County Brown, Outagamie
Project Termini CTH U to Woodland Road		Region - Office NE Region
Regional Project Engineer - Project Manager Jeremy Ashauer		Area Code - Telephone Number 920-492-4165
Consultant Project Engineer - Project Manager Troy Robillard, Ayres Associates		Area Code - Telephone Number 920-498-1200
Archaeological Consultant Katherine Shillinglaw, Great Lakes Archaeological Research Center (GLARC)		Area Code - Telephone Number 414-481-2093
Architecture/History Consultant Justin Miller, Great Lakes Archaeological Research Center		Area Code - Telephone Number 414-481-2093
Date of Need 11/1/13		SHSW #
Return a signed copy of this form to:		

**II. PROJECT DESCRIPTION**

Project Length 2.4 miles	Land to be Acquired: Fee Simple 76.7 acres	Land to be Acquired: Easement 1.2 acres
-----------------------------	---	--

Distance as measured from existing centerline	Existing	Proposed	Other Factors	Existing	Proposed
Right-of-Way Width			Terrace Width		
STH 29	110'-155'	103'-510'	STH 29	None	N/A
CTH U	33'-70'	33'-150'	CTH U	None	N/A
CTH VV/Marley St.	33'-50'	33'-175'	CTH VV/Marley St.	None	0'-9.5'
Milltown Road	N/A	35'-235'	Milltown Road	None	0'-9.5'
North Pine Tree Road	81'-155'	70'-190'	North Pine Tree Road	None	9.5'
Shoulder			Sidewalk Width		
STH 29	10'	10'	STH 29	None	N/A
CTH U	1'-8"	6'-11"	CTH U	None	N/A
CTH VV/Marley St.	4'-8'	0'-6'	CTH VV/Marley St.	None	0'-13'
Milltown Road	3'-4'	None	Milltown Road	None	0'-5'
North Pine Tree Road	None	N/A	North Pine Tree Road	None	5'
Slope Intercept			Number of Lanes		
STH 29		80'-490'	STH 29	4	4
CTH U		31'-165'	CTH U	2	2
CTH VV/Marley St.		33'-153'	CTH VV/Marley St.	2	2
Milltown Road		25'-115'	Milltown Road	2	2
North Pine Tree Road		50'-145'	North Pine Tree Road	2	2
Edge of Pavement			Grade Separated Crossing		
STH 29	32'	32'	CTH U	None	Overpass
CTH U	12'-15'	15'-20'	CTH VV/Marley St.	None	Interchange
CTH VV/Marley St.	11'-15'	12'-17'	North Pine Tree Road	None	Overpass
Milltown Road	11'-12'	12'-17'			
North Pine Tree Road	N/A	17'			
Back of Curb Line			Vision Triangle		
STH 29	None	N/A	acres	N/A	N/A
CTH U	None	N/A			
CTH VV/Marley St.	None	19.5'			
Milltown Road	None	19.5'			
North Pine Tree Road	N/A	19.5'			
Realignment	N/A	CTH U,	Temporary Bypass	N/A	N/A
			acres		

		CTH VV, Milltown Rd, and N. Pine Tree Rd			
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

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

This project is being done as a follow-up to the freeway conversion study completed for STH 29 in Brown County, which consisted of limiting access along STH 29. There are three distinct realignment and roadway reconstruction areas, located in relatively close proximity along STH 29. The three roadway areas are located either in the Village of Howard or in the Village of Hobart, since STH 29 in this area is the dividing line between these two Villages.

Specific project improvements include:

- Construction of a diamond interchange at CTH VV and STH 29, located approximately 1,600 feet west of the existing CTH VV/STH 29 intersection. This interchange will connect to Marley Street to the north and CTH VV to the south. Both Marley Street and CTH VV will be realigned to meet for the interchange. Milltown Road will be realigned to intersect with Marley Street at the existing Millwood Court/Marley Street intersection. Cul-de-sacs will be constructed on Triangle Drive, just east of Overland Road, and on what is to become Old Milltown Road at the present intersection of Marley Street and Milltown Road.
- Construction of a new overpass that will extend North Pine Tree Road from Sunlite Drive on the south terminus, to Milltown Road on the north terminus. This new overpass is located approximately 6,600 feet east of the intersection of CTH VV/STH 29.
- Closure of the STH 29 intersection with CTH U. An overpass of STH 29 will be constructed at the current STH 29/CTH U intersection. This work includes the realignment of approximately 1,500 feet of Old Highway 29.

A project location map is presented in Exhibit 1.

Add continuation sheet, if needed.

**III. CONSULTATION**

How has notification of the project been provided to:

<input checked="" type="checkbox"/> Property Owners	<input checked="" type="checkbox"/> Historical Societies/Organizations	<input checked="" type="checkbox"/> Native American Tribes
<input checked="" type="checkbox"/> Public Information Meeting Notice	<input type="checkbox"/> Public Information Meeting Notice	<input type="checkbox"/> Public Info. Mtg. Notice
<input checked="" type="checkbox"/> Letter - Required for Archaeology	<input checked="" type="checkbox"/> Letter	<input checked="" type="checkbox"/> Letter
<input type="checkbox"/> Telephone Call	<input type="checkbox"/> Telephone Call	<input type="checkbox"/> Telephone Call
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:	<input type="checkbox"/> 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 included all properties along the above improvements, which were at least 40 years old and maintained a degree of integrity, were evaluated for historic significance.

**V. PHASE I ARCHEOLOGICAL OR RECONNAISSANCE HISTORY SURVEY NEEDED**

ARCHAEOLOGY	HISTORY
<input checked="" type="checkbox"/> Archaeological survey is needed	<input checked="" type="checkbox"/> Architecture/History survey is needed
<input type="checkbox"/> Archaeological survey is not needed - Provide justification <input type="checkbox"/> Screening list (date).	<input type="checkbox"/> Architecture/History survey is not needed <input type="checkbox"/> No structures or buildings of any kind within APE <input type="checkbox"/> Screening list (date).

**VI. SURVEY COMPLETED**

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

**VII. DETERMINATION OF ELIGIBILITY (EVALUATION) COMPLETED**

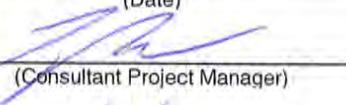
<input type="checkbox"/> No arch site(s) eligible for NRHP - Phase II Report attached	<input type="checkbox"/> No buildings/structure(s) eligible for NRHP - DOE attached
<input type="checkbox"/> Arch site(s) eligible for NRHP - Phase II Report attached	<input type="checkbox"/> Building/structure(s) eligible for NRHP - DOE attached
<input type="checkbox"/> Site(s) eligible for NRHP - DOE attached	

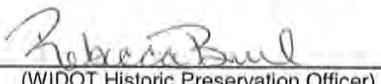
**VIII. COMMITMENTS/SPECIAL PROVISIONS - must be included with special provisions language**

GLARC will submit two copies of the ASFR to the Bureau of Indian Affairs, Midwest Regional Office and to the Oneida Nation per the special conditions set forth in ARPA permit number 2011-OND-02.

**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.

  
 (Regional Project Manager)  
 10-08-2013  
 (Date)  
  
 (Consultant Project Manager)  
 9/17/13  
 (Date)

  
 (WIDOT Historic Preservation Officer)  
 2/26/2014  
 (Date)

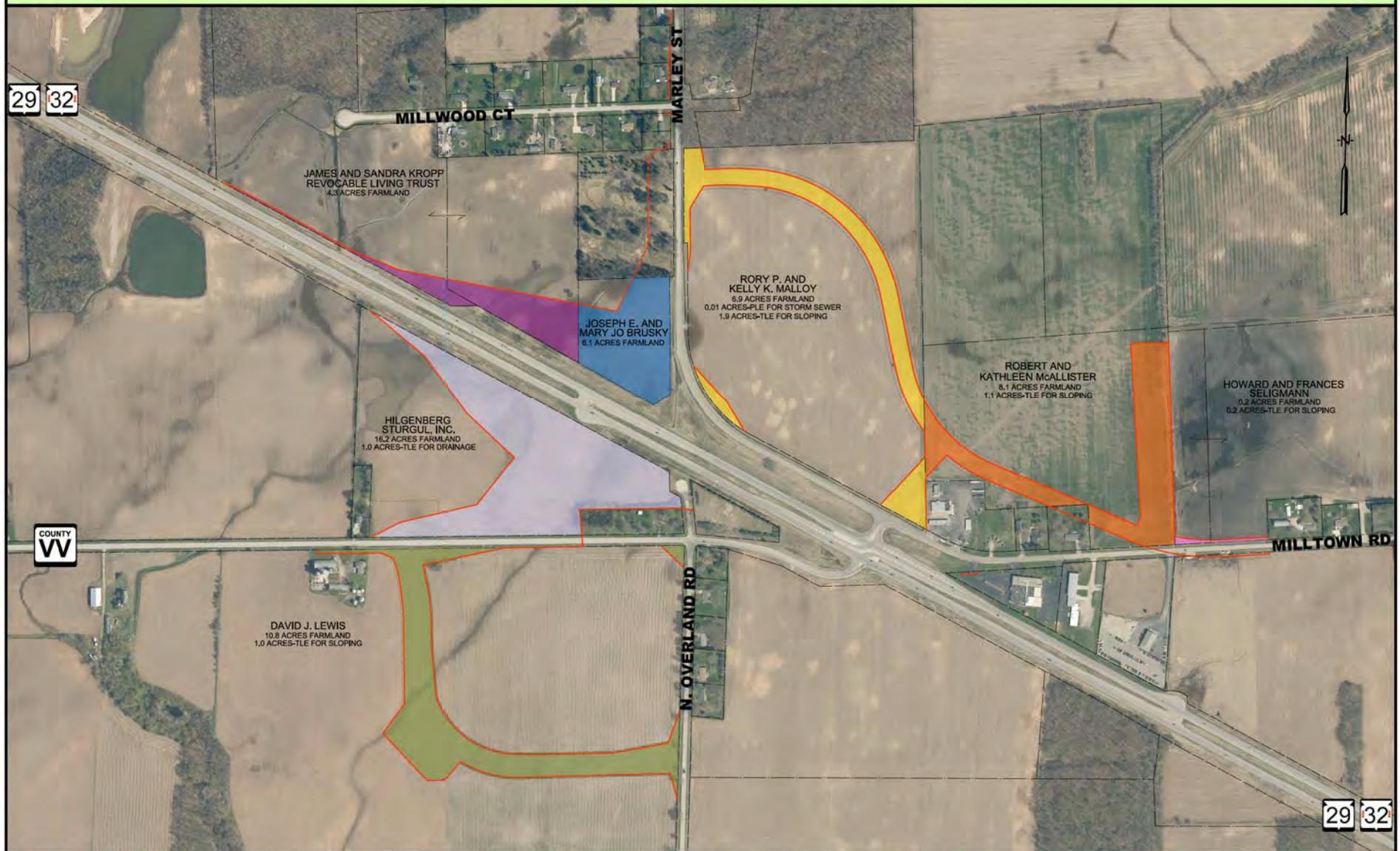
  
 (State Historic Preservation Officer)  
 March 6 2014  
 (Date)

\* See attached for THPO concurrence

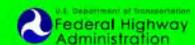
# APPENDIX 6

## Agricultural Impact Information

# County VV Preferred Alternative Agricultural Impacts



**WIS 29/COUNTY VV Interchange, Brown County**



# Ag Impact Statement (DATCP)



WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE  
AND CONSUMER PROTECTION

# AGRICULTURAL IMPACT STATEMENT ADDENDUM

*PUBLISHED June 24, 2019*

**DATCP  
#4296**

**STH 29: Shawano to Green Bay  
Wisconsin Department of Transportation  
WisDOT ID#: 9200-10-00  
Brown County**

## I. INTRODUCTION

On February 4, 2015, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) published the Agricultural Impact Statement (AIS) titled State Trunk Highway (STH) 29: County Trunk Highway (CTH) U to Woodland Road (DATCP ID# 3748).<sup>1</sup> The Wisconsin Department of Transportation (WisDOT) has since modified the design, mainly removing the proposed overpasses of STH 29 at CTH U and North Pine Tree Road. Refinements to local connections were also made to provide more efficient and safe traffic flow by connecting Overland Drive to CTH VV. See Figure 1 for a map of the proposed changes to the STH 29 and CTH VV intersection.

As a result of these modifications, changes were made in the proposed acquisitions of farmland for this project. These changes are listed in the following table.

Landowner	2019 Proposed Acquisitions (acres)	2015 Proposed Acquisitions (acres)	Change (acres)
James and Sandra Kropp	4.29	5.02	-0.73
Joseph and Mary Brusky	6.06	5.97	0.09
Rory and Kelly Malloy, formerly Malloy Trust (Sandra Malloy)	6.8	12.57	-5.77
Robert and Kathleen McAllister	8.14	13.39	-5.25
Howard and Frances Seligman	0.22	0.46	-0.24
Hilgenberg Sturgul Inc	16.23	15.90	0.33
David Lewis	10.64	7.07	3.57
Packerland Properties and Investment Company LLC	0	0.69	-0.69
MEJ Corporation	0	3.51	-3.51
Devley Seven LLC - Roger and Kathleen Deviley	0	1.52	-1.52
<b>TOTAL</b>	<b>52.38</b>	<b>66.10</b>	<b>-9.08</b>

<sup>1</sup> This project was previously designed under WisDOT Project ID: 9200-06-00, STH 29: CTH U to Woodland Road, and is now being designed under WisDOT Project ID: 9200-10-00, STH 29: Shawano to Green Bay.

## II. AGRICULTURAL IMPACTS

One of the affected farmland owners will have more land acquired for the highway project. The proposed acquisition from David Lewis was 7.07 acres and is now 10.64 acres of land. The impacts to the Lewis property include the loss of cropland, severance of land, and potential damage to drainage.

DATCP staff phoned Mr. Lewis, but he declined to comment on the project or its revisions.

The primary soils that will be affected by construction of the Overland Drive to CTH VV connection are:

- Onaway-Ossineke fine sandy loam, moraine, 1 to 6% slopes, prime if drained
- Ossineke fine sandy loam, 0 to 2% slopes, prime if drained
- Onaway fine sandy loam, moraine, 6 to 12% slopes-eroded, not prime

## III. RECOMMENDATIONS

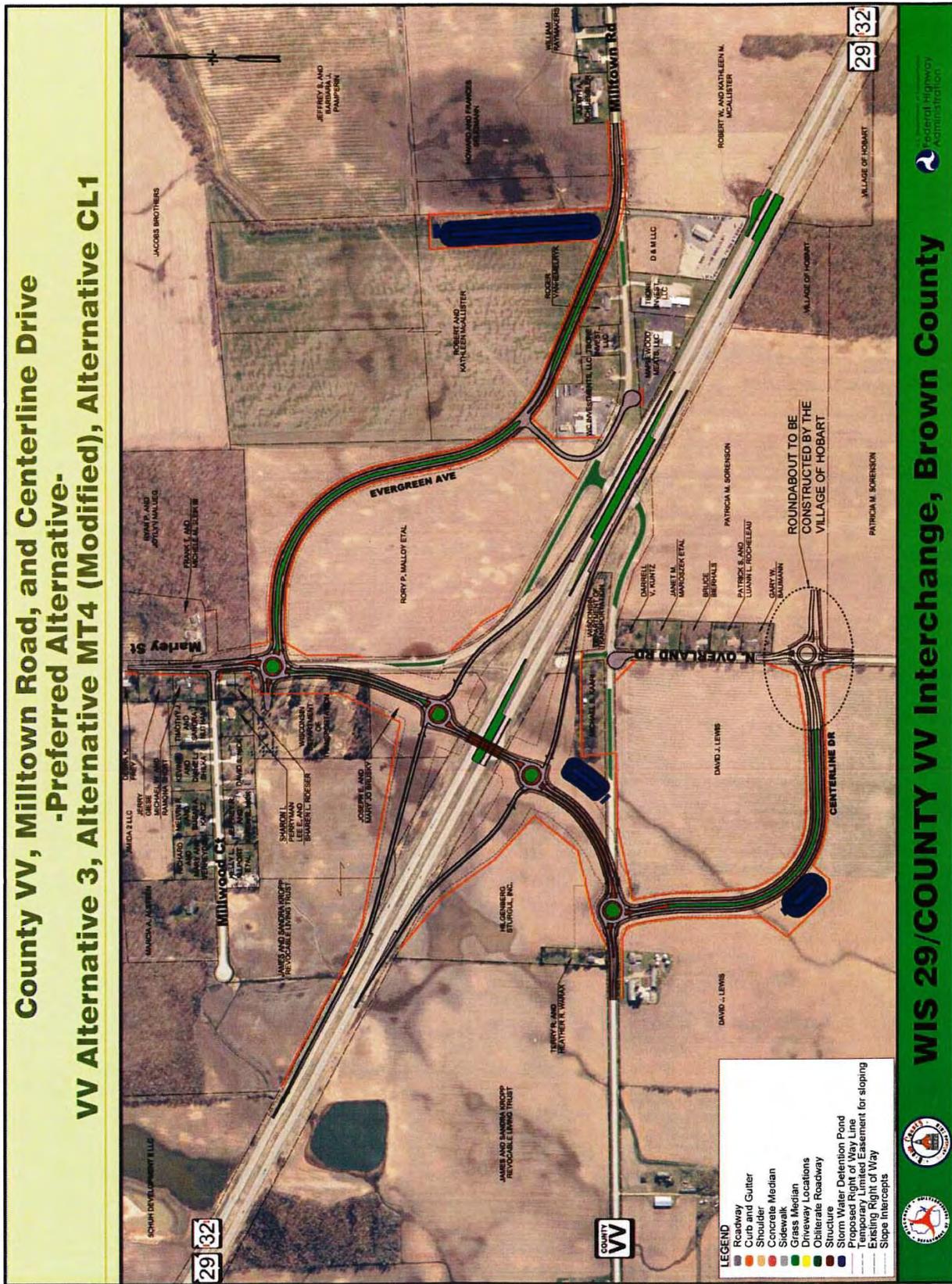
DATCP continues to support all of the recommendations that were made in the original AIS. They are as follows:

- To address potential drainage problems that may occur as a result of the project, project officials should discuss design and construction plans with the Brown County land conservationist during the design process for this project.
- The county land conservationist should also be consulted to ensure that construction proceeds in a manner that minimizes crop damage, soil compaction, and soil erosion on adjacent farmland.
- Landowners and operators should be given advanced notice of acquisition and construction schedules so that farm activities can be adjusted accordingly. To the extent feasible, the timing of the acquisition and construction should be coordinated with the landowners and operators to minimize crop damage and disruption of farm operations.
- WisDOT should consult with the landowner whose current and future access to farmland is affected. Where access is relocated or a new access point provided, WisDOT should consult with the affected landowner(s) to ensure that the new or altered access point is in a safe location for efficient farm use.
- Current farm operators should be allowed to continue farming land acquired for the proposed project until it is needed for construction as long as there is adequate time to complete the growing season and harvest the crops.

Copies of the original AIS for this project or this addendum are available on the DATCP website at [datcp.wi.gov](http://datcp.wi.gov) and search for AIS. At the AIS home page look under, "Other Current Projects."

For questions or comments, call or email Alice Halpin at (608)224-4646 or [alice.halpin@wi.gov](mailto:alice.halpin@wi.gov).

Figure 1: Proposed Changes to the STH 29 and CTH VV Intersection



# **A**GRICULTURAL **I**MPACT **S**TATEMENT



## **STH 29: CTH “U” to Woodland Road Project**

**Published February 4, 2015**

**Wisconsin Department of Agriculture,  
Trade, and Consumer Protection  
DATCP #3748**



# Agricultural Impact Statement

Wisconsin Department of Agriculture,  
Trade and Consumer Protection

---

Ben Brancel, Secretary

John Petty, Administrator  
Division of Agricultural Resource Management

Keith Foye, Director  
Bureau of Land and Water Resources

Sara Walling, Chief  
Nutrient Management and Water Quality Section

Lindsay Tekler, Author & GIS Analyst

---

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## Acronyms

AIS	Agricultural Impact Statement
AEA	Agricultural Enterprise Area
CTH	County Trunk Highway
DATCP	Department of Agriculture, Trade, and Consumer Protection
FDM	Facilities Development Manual
FHA	Federal Highway Administration
FPP	Farmland Preservation Program
NRCS	Natural Resources Conservation Service
ROW	Right-of-Way
STH	State Trunk Highway
USDA	U.S. Department of Agriculture
WisDOT	Wisconsin Department of Transportation

---

## **AGRICULTURAL IMPACT STATEMENT**

**STH 29: CTH “U” – Woodland Road  
Brown County  
Wisconsin Department of Transportation  
Project ID #: 9200-06-00**

---

### **1. Introduction**

The Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) has prepared this agricultural impact statement (AIS) in accordance with §32.035, *Wisconsin Statutes*. DATCP is required to prepare an AIS when the actual or potential exercise of eminent domain powers involves an acquisition of interest in more than 5 acres of land from any farm operation. The term farm operation includes all owned and rented parcels of land, buildings, equipment, livestock, and personnel used by an individual, partnership, or corporation under single management to produce agricultural commodities. DATCP may choose to prepare an AIS if an acquisition of 5 or fewer acres will have a significant impact on a farm operation. Significant impacts could include the acquisition of buildings, the acquisition of land used to grow high-value crops, or the severance of land.

The AIS is an informational and advisory document that describes and analyzes the potential effects of the proposed project on farm operations and agricultural resources. The AIS reflects the general objectives of DATCP in its recognition of the importance of conserving important agricultural resources and maintaining a healthy rural economy. DATCP is not involved in determining whether or not eminent domain powers will be used or the amount of compensation to be paid for the acquisition of any property.

DATCP should be notified of such projects regardless of whether the proposing agency intends to use its condemnation authority in the acquisition of project lands. The proposing agency may not negotiate with or make a jurisdictional offer to a landowner until 30 days after the AIS is published. Please see Appendix I for the Wisconsin Statute regarding AIS.

---

## 2. Description of the Project

### **Project Description and Location**

The Wisconsin Department of Transportation (WisDOT) is proposing to reconstruct and realign portions of State Trunk Highway (STH) 29 from the limits of its intersection with County Trunk Highway (CTH) “U”, east to its intersection with Woodland Road. The project length is approximately 3.8 miles. The proposed construction will occur at three major areas (Figure 1):

- The intersection of STH 29 and CTH “U”, including partial realignment of Old Highway 29 Drive
- The intersection of STH 29 and CTH “VV”, including reconstruction of Marley Street and Triangle Drive, and realignment of Milltown Road
- The northern extension of North Pine Tree Road to pass over STH 29 approximately 6,600 feet east of the STH 29 and CTH “VV” intersection

The project is located within the villages of Howard and Hobart, in the northeast corner of Brown County (Figure 1). STH 29 serves as the dividing line between the two areas, with the village of Howard located north of STH 29 and the village of Hobart located south of STH 29.

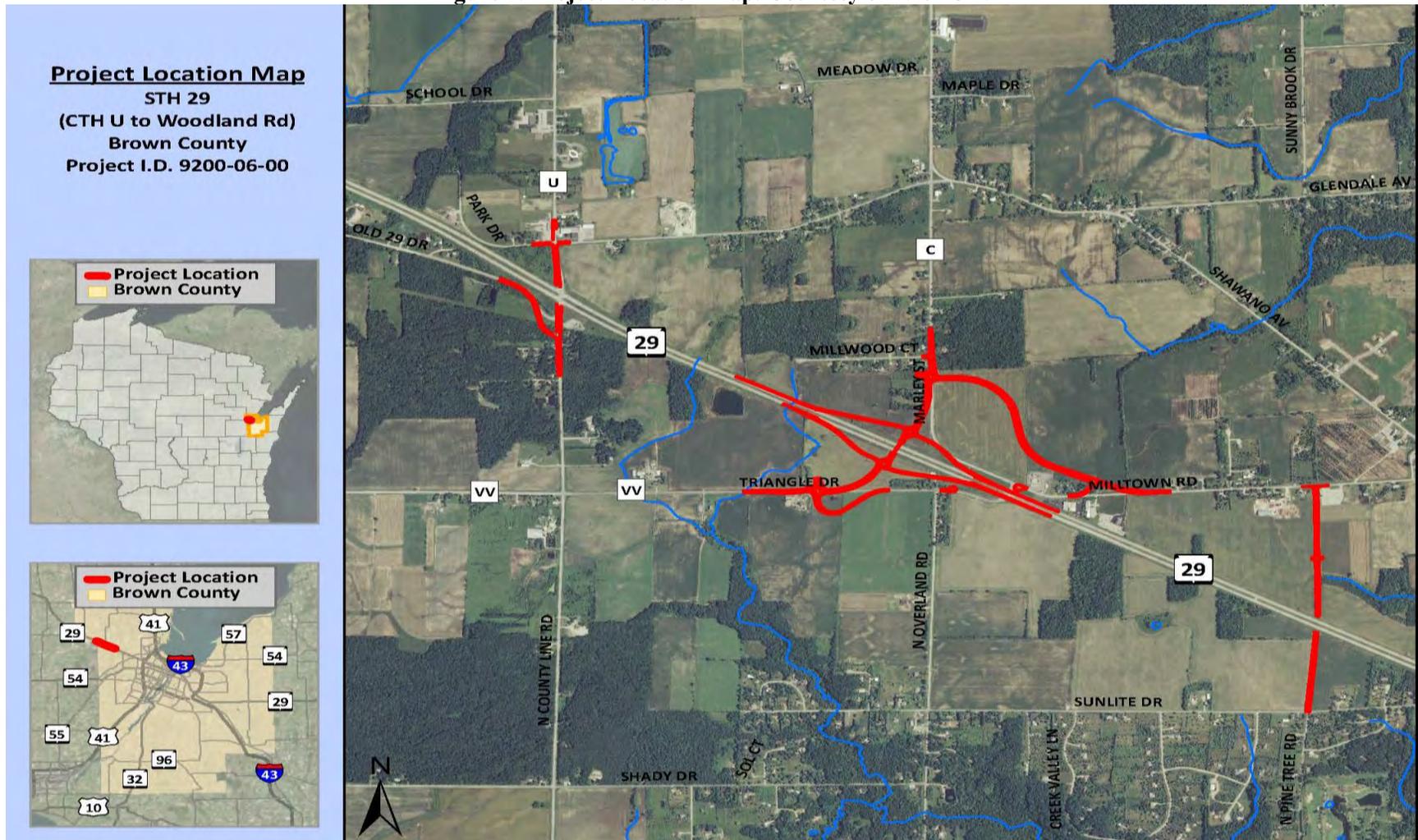
WisDOT has indicated that the project is currently in the design phase and the schedule of acquisitions and construction has not yet been identified.

### **Existing Highway**

STH 29 is a primary east/west roadway serving the north central Wisconsin area. It is the most heavily traveled east/west highway in that area and is a crucial component in WisDOT’s Wisconsin Corridors 2020 Plan.

The existing right-of-way (ROW) along STH 29 in the project area is approximately 250 feet, with larger widths at its intersection with CTH “U” and CTH “VV”.

Figure 1. Project Location Map. Courtesy of WisDOT.



---

## **Project Need**

The need for this project is based on the following transportation issues identified in the Environmental Assessment completed by WisDOT for the WIS 29 Corridor Preservation Plan (2008):

### ***Corridor Preservation***

The components of the preferred alternative were identified as part of the long-term plan to convert the STH 29 corridor from an expressway to a freeway to accommodate expected increases in traffic.

### ***Safety, Operation, and Mobility***

The purpose of the WIS 29 Corridor Preservation Plan is to preserve and enhance the long-term safety, operation, and mobility of STH 29. Driving in the current proposed project area can be difficult due to high traffic volumes combined with increased pressure from urban development. The current design of the project area makes it challenging to cross or to get onto STH 29. As traffic in the future increased on STH 29, the number of conflicts between vehicles entering and exiting from the current intersections will also increase. The proposed project is a component of a long-term effort to convert STH 29 into a limited access freeway in which all access will be provided solely at interchanges, no longer at at-grade intersections.

### ***Land Use and Transportation Planning Coordination***

The improvements at the proposed project intersections were identified in the WIS 29 Corridor Preservation Plan in cooperation with Brown County, the villages of Howard and Hobart, and the Oneida Tribe of Indians of Wisconsin. Access to STH 29 plays a vital role in the ongoing land use, economic development, and transportation planning that those jurisdictions are currently engaged in. The interchange conversion and associated alternations to the local road system have been coordinated with these communities.

---

## **Project Alternatives**

WisDOT evaluated the following alternatives and selected Alternative 3 as the best choice to fulfill the needs of the project while minimizing the impacts to environmental, community, and economic resources:

### ***Alternative 1 – No Build***

This alternative consists of no improvements to the existing roadway other than routine maintenance and resurfacing. Other than temporarily improving the pavement surface, this alternative would not address the safety concerns at existing intersections and would not be consistent with the area and regional land use plans, which were developed in conjunction with the WIS 29 Corridor Preservation Plan. Alternative 1 was eliminated early in the project development phase and is not proposed for future consideration.

### ***Alternative 2 – Conceptual Design from the WIS 29 Corridor Preservation Plan***

This alternative was developed in the 2008 WIS 29 Corridor Preservation Plan and includes the following elements:

- Closure of the existing at-grade intersection of STH 29 and CTH “U” to be replaced with the construction of an overpass of CTH “U” over STH 29.
- Construction of a grade-separated diamond interchange at STH 29 and CTH “VV”, located approximately 1,700 feet west of the existing intersection.
- Construction of the connections to local roads Milltown Road, Triangle Drive, and Old Highway 29.
- Extension of North Pine Tree Road north from its current intersection with Sunlite Drive (south of STH 29) to meet Milltown Road (north of STH 29). An overpass of North Pine Tree Road over STH 29 would be constructed where the extension meets STH 29.

The impacts associated with the proposed construction were evaluated in the Environmental Assessment and this alternative was given a Finding of No Significant Impact based on Federal review. The ROW needed to implement Alternative 2 was officially mapped under Wisconsin Statute 84.295.

---

***Alternative 3 – Final Overpass, Interchange, and Associated Roadway Design (Preferred Alternative)***

This alternative includes the majority of the elements from Alternative 2, but with adjustments incorporating engineering, environmental, and public involvement factors. Compared to the elements of Alternative 2, Alternative 3 differs in the following ways:

- Based on the results of an Intersection Control Evaluation and public comments, roundabouts would be constructed at 4 locations, in order from south to north:
  - CTH “VV” and Triangle Drive
  - CTH “VV” and STH 29 eastbound ramp terminus
  - Marley Street and STH 29 westbound temp terminus
  - Marley Street and Milltown Road
- The CTH “VV” interchange ramps would be slightly relocated to meet the roundabouts at the ramp termini.
- A median along the extension of North Pine Tree Road would be eliminated and bicycle accommodations would be added.

A more detailed description of the proposed construction and realignment involved in Alternative 3, as well as figures displaying the locations of the construction and alignment, can be found in Section 4 – Description of the Preferred Alternative.

---

### 3. Agricultural Setting

The information provided in this section is intended to describe the existing agricultural sector of Brown County in general terms. Later in this report, in Section 5 – Agricultural Impacts, individual farm operations will be described.

#### Agricultural Productivity

According to a 2011 report published by the University of Wisconsin – Extension, Brown County is number 6 in the state in the value of milk and dairy products, number 5 in the value of livestock and poultry products, and number 2 in the value of cattle and calves.

Table 1 displays the amount of harvested acres for selected crops in Brown County from 2009 to 2013. The amount of harvested acres of corn for silage significantly increased while the amount of alfalfa hay slightly decreased (USDA NASS Annual Wisconsin Agricultural Statistics Bulletin).

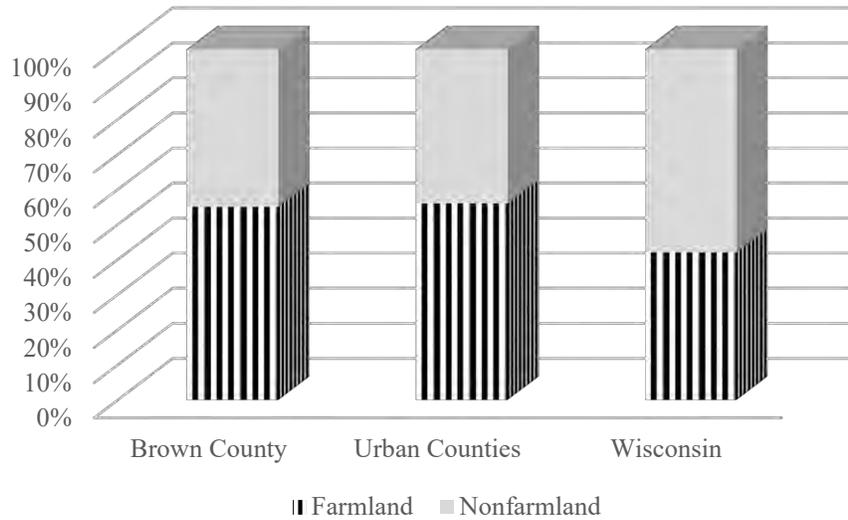
**Table 1. Acres of Selected Crops from 2009 to 2013.**

Crop	Harvested Acres				
	2009	2010	2011	2012	2013
Corn for Grain	27,200	35,200	24,300	26,700	18,500
Corn for Silage	29,500	27,100	40,800	44,400	49,000
Soybeans	21,200	18,700	19,300	19,200	17,400
Winter Wheat	14,500	10,500	14,000	10,100	8,050
Alfalfa Hay	31,600	26,300	21,300	19,200	20,900

#### Land in Farms

Brown County is classified as an urban county, which is defined as having an average of more than 100 residents per square mile. According to the *2012 Census of Agriculture*, Brown County has 181,197 acres of land in farms, which represents 55 percent of the total land area. Land in farms consists primarily of agricultural land used for crops, pasture, or grazing. It also includes woodland and wasteland not actually under cultivation or used for pasture or grazing, providing it was part of the farm operator’s total operation. The average for urban counties is 188,648 acres of land in farms or 56 percent of the total county land area. These can be compared to the average of 202,346 acres or 42 percent of land in farms among all Wisconsin counties. Refer to Figure 2 for a graphic comparison of the percentage of land in farms in Brown County, urban counties, and Wisconsin.

**Figure 2. Percentage of Land in Farms.**



According to the *2012 Census of Agriculture*, The amount of land in farms from 2007 to 2012 decreased from 187,167 to 181,197 acres (a 3 percent loss) in Brown County. In Wisconsin as a whole, the amount of land in farms declined from 15.2 to 14.6 million acres (a 4 percent loss) during this time (Table 2).

**Table 2. Change in the Acres of Farmland, 2007 to 2012.**

Location	Acres of Farmland in 2007	Acres of Farmland in 2012	Change in Acres	Percentage Change
Brown County	187,167	181,197	5,970	-3
Wisconsin	15,190,804	14,568,926	621,878	-4

## **Number of Farms**

According to the *2012 Census of Agriculture*, Brown County gained 58 farms (a 5.0 percent increase) between 2007 and 2012 as the total number rose from 1,053 to 1,111. Wisconsin as a whole lost 12 percent of its farms as the total number of farms in the state dropped from 78,463 in 2007 to 69,754 in 2012 (Table 3).

**Table 3. Change in the Number of Farms, 2007 to 2012.**

<b>Location</b>	<b>Number of Farms in 2007</b>	<b>Number of Farms in 2012</b>	<b>Change in the Number of Farms</b>	<b>Percent Change</b>
Brown County	1,053	1,111	58	+5
Wisconsin	78,463	69,754	8,709	-12

## **Size of Farms**

Table 4 shows that the average size of farms fell 9 percent from 2007 to 2012 in Brown County and rose 7 percent in Wisconsin as a whole (2012 Census of Agriculture).

**Table 4. Change in the Average Size of Farms, 2007 to 2012.**

<b>Location</b>	<b>Average Farm Size (Acres)</b>		
	<b>2007</b>	<b>2012</b>	<b>Change in Size</b>
Brown County	178	163	-15
Wisconsin	194	209	+15

Table 5 shows the number of farms in each size category in 2012 for Brown County and all Wisconsin counties (2012 Census of Agriculture). Proportionately, Brown County has more farms that are smaller than 49 acres compared to the average for all Wisconsin counties.

**Table 5. Number of Farms per Size Category in 2012.**

<b>Location</b>	<b>0 to 49 Acres</b>		<b>50 to 179 Acres</b>		<b>180 to 499 Acres</b>		<b>More than 500 Acres</b>	
	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>
Brown County	586	53	269	24	189	17	67	6
Wisconsin	22,428	32	25,502	37	15,688	22	6,136	9

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## **Property Taxes and Values**

Table 6 lists the 2013 average property tax, assessed value, and sale price per acre of agricultural land in Brown County, urban counties, and all Wisconsin counties. The assessed values and property taxes are based on the “use value” of agricultural land. Wisconsin Statutes define agricultural land as “land, exclusive of buildings and improvements, that is devoted primarily to agricultural use.”

**Table 6. Farmland Taxes and Value.**

<b>Location</b>	<b>2013/14 Dollars per Acre of Farmland</b>		
	<b>Average Tax per Acre</b>	<b>Assessed Value per Acre</b>	<b>Sale Value</b>
Brown County	\$3.38	\$170	\$8,123
Urban Counties	3.70	200	6,303
Wisconsin	3.32	171	4,442

In 2013/14, average property taxes on Brown County agricultural land were close to the Wisconsin average and lower than the average of all urban counties in Wisconsin (Wisconsin Department of Revenue).

On average, the assessed value of farmland in Brown County was the same as the average for all Wisconsin counties and significantly lower than the average for all Wisconsin urban counties (Wisconsin Department of Revenue).

The average sale price of farmland in Brown County was significantly higher than the average for urban counties and for all Wisconsin counties (USDA NASS 2014 Wisconsin Agricultural Statistics Bulletin). These values do not include farmland sold and converted to nonfarm use and do not include agricultural land with buildings or improvements.

## **Farmland Preservation**

The state of Wisconsin Farmland Preservation Program (FPP) provides counties, towns, and landowners with tools to aid in protecting agricultural land for continued agricultural use and to promote activities that support the larger agricultural economy. Through this program, counties adopt state-certified farmland preservation plans, which map areas identified as important for farmland preservation and agricultural development based upon reasonable criteria. The Brown County Farmland Preservation Plan was certified by DATCP in 2012. The plan identifies farmland preservation areas in the county and provides tax credit eligibility to farmers who wish to participate in the FPP.

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Within these farmland preservation areas, local governments and owners of farmland can petition for designation by the state as an Agricultural Enterprise Area (AEA). This designation highlights the importance of the area for agriculture and further supports local farmland preservation and agricultural development goals. Designation as an AEA also enables eligible landowners to enter into farmland preservation agreements. Through an agreement, a landowner agrees to voluntarily restrict the use of their land for agriculture for fifteen years and to follow the state soil and water conservation standards to protect water quality and soil health. The land to be acquired for this project is not part of an AEA nor does it contain any FPP agreements.

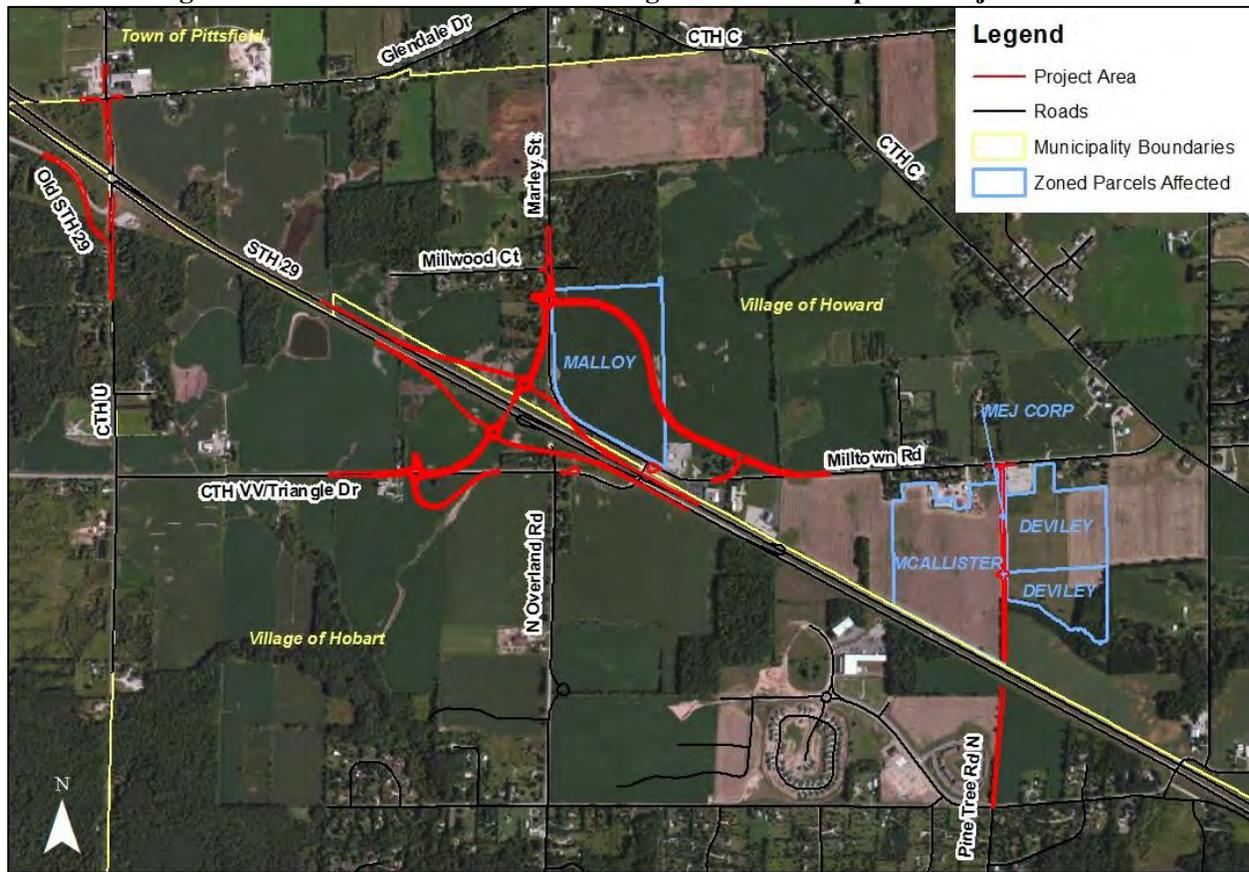
In addition, local governments may choose to adopt and have certified a farmland preservation zoning ordinance to ensure that landowners covered by the ordinance are eligible to claim farmland preservation tax credits. The villages of Howard and Hobart have adopted their own exclusive agricultural zoning ordinance. Under the FPP, landowners can receive \$7.50 per acre in tax credits on land zoned for exclusive agricultural use. Farmland owners having land acquired that is zoned for agricultural use should expect to no longer receive tax credits on that land (Figure 3). This district does not charge a fee for land taken out of agricultural zoning.

### **Drainage Districts**

Drainage districts are local governmental districts that are organized to drain lands for agricultural use. Landowners who are part of a drainage district must contribute to the cost of constructing, maintaining, and repairing the district's drains. Drainage districts are organized under Chapter 88 of the Wisconsin Statutes and are governed by county drainage boards. Approximately 176 active boards exist within 31 Wisconsin counties.

There are no drainage districts located within the project area.

**Figure 3. Farmland Preservation Zoning Within the Proposed Project Area.**



### Soils

The Natural Resources Conservation Service (NRCS) *Soil Survey of Brown County* identified multiple soil series that will be affected by the proposed project (Table 7). Figure 4 displays the location of each soil type within the limits of the project. Please refer to Appendix II for the NRCS farmland soil classifications definitions and Appendix III for descriptions of capability classes of soil.

Table 7 shows that all soil types but one are designated as prime farmland. The farmland being acquired for this project (see Section 5 –Agricultural Impacts) will remove nearly 66 acres of prime farmland out of production.

**Table 7. Mapped Soil Units Within the Proposed Project Area.**

<b>Map Unit Symbol</b>	<b>Description</b>	<b>Rating</b>	<b>Capability Class</b>	<b>Drainage Class</b>	<b>Landform</b>	<b>Permeability</b>	<b>Depth to Water Table (inches)</b>
BrC2	Boyer loamy fine sand, 6 to 12% slopes, eroded	Farmland of statewide importance	IIIe	Well drained	Outwash plains	moderate	60-80
KgB	Kewaunee loam, gravelly substratum, 2 to 6% slopes	Prime farmland	Ile	Well drained	Ground moraines	moderate	60-80
SoA	Solona sandy loam, 1 to 3% slopes	Prime farmland if drained	IIw	Somewhat poorly drained	Depressions and drainageways of ground moraines	moderate	0-6
SpA	Solona loam, 1 to 3% slopes	Prime farmland if drained	IIw	Somewhat poorly drained	Depressions and drainageways of ground moraines	moderate	0-6
Ax	Angelica silt loam	Prime farmland if drained	IIw	Poorly drained	Depressions and drainageways of ground moraines	slow	0
OeB	Onaway sandy loam, 2 to 6% slopes	Prime farmland	Ile	Well drained	Ground moraines	moderate	60-80
OhA	Ossineke fine sandy loam, 0 to 2% slopes	Prime farmland if drained	Ile	Moderately well drained	Drumlins, moraines	moderate	12-24
OhB	Onaway loam, 2 to 6% slopes	Prime farmland	Ile	Well drained	Ground moraines	moderate	60-80
Rs	Roscommon muck	Not prime farmland	VIw	Poorly drained	Depressions on outwash plains and lake plains	slow	0

Figure 4. NRCS Mapped Soil Types Within the Proposed Project Area.



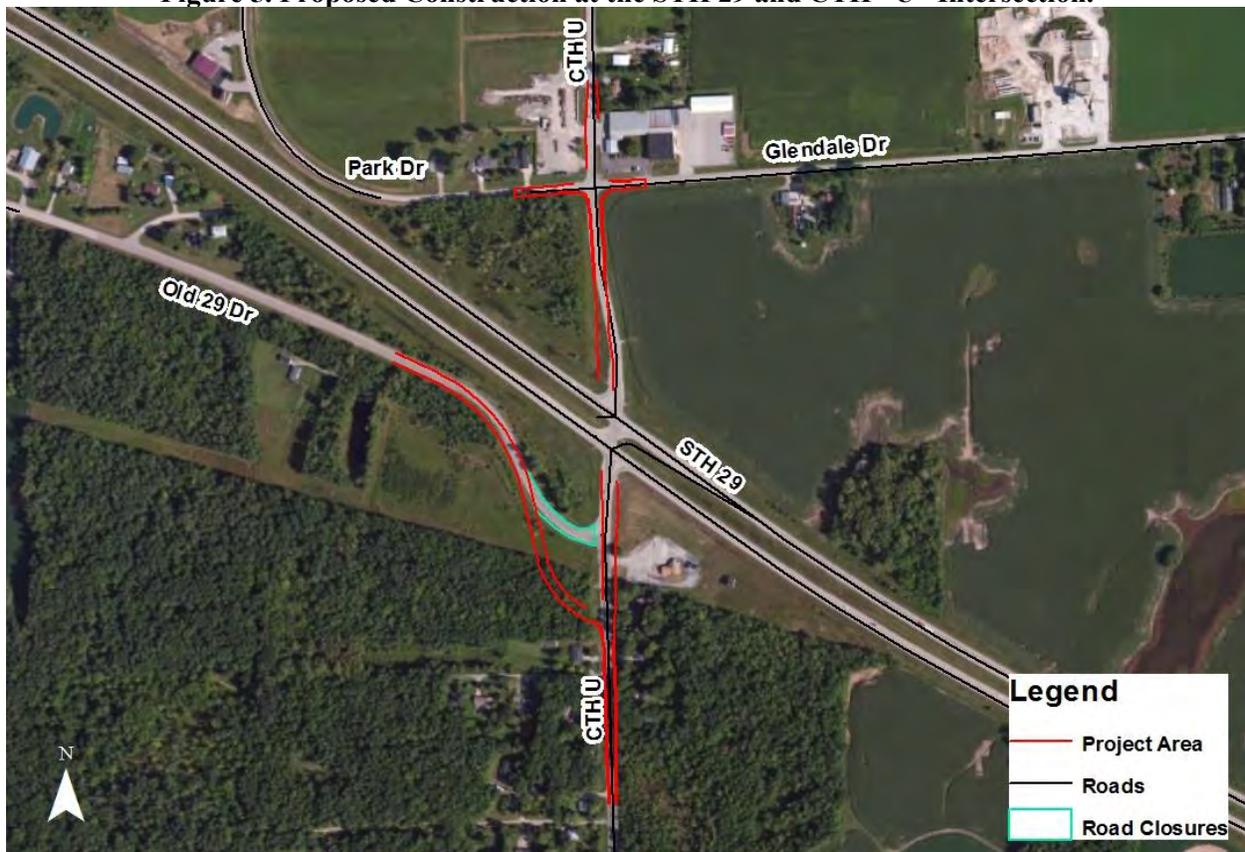
## 4. Description of the Preferred Alternative

Alternative 3 (See Section 2 – Description of the Project) was selected by WisDOT as the best alternative to fulfill the needs of the project, while reducing the impacts to the greatest extent possible to agricultural, environmental, community, and economic resources. A description of the proposed construction and realignment at the three major areas that comprise Alternative 3 follows.

### STH 29 and CTH “U” Intersection

The existing STH 29 and CTH “U” intersection will be closed, and in its place, an overpass of CTH “U” will be constructed over STH 29 (Figure 5). Approximately 0.52 miles of CTH “U” and 0.29 miles of Old Highway 29 Drive will be reconstructed and/or realigned as part of this new configuration.

Figure 5. Proposed Construction at the STH 29 and CTH “U” Intersection.



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### **STH 29 and CTH “VV” Intersection**

The existing STH 29 and CTH “VV” intersection will be closed, and instead, a diamond interchange will be constructed (Figure 6). This diamond interchange will be constructed approximately 1,700 feet west of the existing STH 29 and CTH “VV” intersection. In order for this new interchange to connect to local roads, a roundabout will be constructed at the westbound ramp terminus to connect Marley Street to the north, as well as the construction of a roundabout at the eastbound ramp terminus to connect CTH “VV” to the south.

As part of this new configuration, Marley Street will be slightly realigned to the west and Milltown Road will be realigned to the north of its existing location. Milltown Road will connect to Marley Street at a newly constructed roundabout located approximately 375 feet south of the existing intersection on Millwood Court and Marley Street. A cul-de-sac will be constructed where the existing Milltown Road alignment will be terminated.

In addition, CTH “VV”/Triangle Drive will also be reconstructed to align with the new diamond interchange. A roundabout will be constructed at the CTH “VV”/Triangle Drive intersection to connect to the new diamond interchange. A cul-de-sac will be constructed east of the Triangle Road and Overland Road intersection. The existing cul-de-sac located north of the Overland Road and Triangle Drive intersection will be closed.

Approximately 0.91 miles of CTH “VV” and 0.81 miles of Marley Street will be reconstructed and/or realigned as part of this new configuration.

Figure 6. Proposed Construction at the STH 29 and CTH “VV” Intersection.



## **North Pine Tree Road Extension**

North Pine Tree Road will be extended north from its current intersection with Sunlite Drive (south of STH 29) to meet Milltown Road (north of STH 29). An overpass of North Pine Tree Road over STH 29 will be constructed where the extension meets STH 29 (Figure 7). This overpass will be located approximately 6,600 feet east of the STH 29 and CTH “VV” intersection and will provide a link between future developments within the villages of Howard and Hobart. Approximately 0.72 miles of North Pine Tree Road will be reconstructed and/or realigned as part of this new configuration.

**Figure 7. Proposed Construction of the North Pine Tree Road Extension.**



## 5. Agricultural Impacts

The proposed project will require the fee-simple acquisition of 66.1 acres of farmland from 10 landowners. The affected landowners are listed in Table 8 below, along with land use of the acres to be acquired. Figures 8-10 show the location of the acquired agricultural land at each of the three major areas.

**Table 8. Proposed Farmland Acquisitions.**

Landowner	Type of Land	Fee Simple Acquisition (Acres)
Howard & Frances Seligmann	Cropland	0.46
Packerland Properties & Investment Co. LLC	Cropland	0.69
Deviley Seven LLC – Roger and Kathleen Deviley	Cropland/Woodland	1.52
MEJ Corporation	Cropland/Woodland/Easement	3.51
James & Sandra Kropp Revocable Living Trust	Cropland	5.02
Joseph & Mary Jo Brusky	Cropland	5.97
David J. Lewis	Cropland/Pasture	7.07
Malloy Trust – Sandra Malloy	Cropland	12.57
Robert & Kathleen McAllister	Cropland	13.39
Hilgenberg Sturgul Inc. – Terry Hilgenberg	Cropland/Pasture	15.9
<b>Total</b>		<b>66.1</b>

Figure 8. Agricultural Impacts at the STH 29 and CTH “U” Intersection. Courtesy of Federal Highway Administration (FHA).



Figure 9. Agricultural Impacts at the STH 29 and CTH “VV” Intersection. Courtesy of FHA.

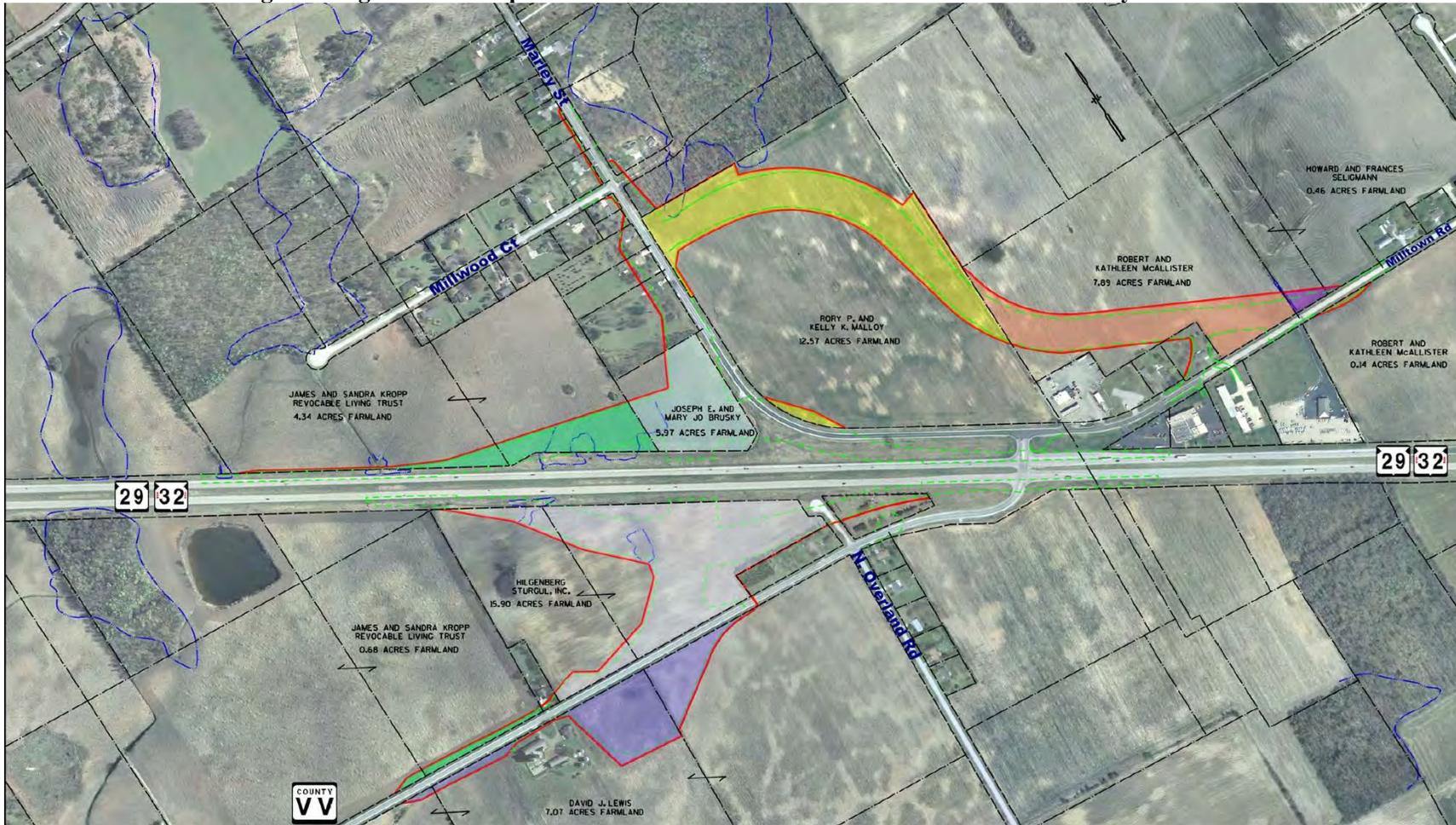


Figure 10. Agricultural Impacts at the North Pine Tree Road Extension. Courtesy of FHA.



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DATCP contacted each of the affected landowners by phone and mail who would lose more than 5 acres of land due to the proposed project. The information provided by those who could be reached, as well as information on the potential agricultural impacts landowners raised as concerning, is summarized in the following paragraphs.

### **Landowner Comments**

**Farm Owner/Operator(s):** Malloy Trust – administrator Sandra Malloy

**Proposed Acquisition:** Fee-simple acquisition of 12.57 acres, plus 5.2 land locked acres

The affected parcel is owned by the Malloy Trust and is currently rented. The tenant rotates cash crops of corn and soybeans. The Malloy Trust parcel (VH-43) is being affected due to the proposed realignment of Milltown Road, part of the STH 29 and CTH “VV” intersection reconstruction (Figure 9).

Ms. Malloy is concerned that the realignment of Milltown Road will divide the 50 acres of land owned in that area by Malloy Trust. She prefers WisDOT to realign Milltown Road along the property line to avoid dividing the land and making it harder to farm.

Ms. Malloy is also concerned about how the severed northeast portion of the affected parcel, 5.2 acres in size, will be accessed once the realigned Milltown Road is constructed (Figure 9). Ms. Malloy also raised a concern about the possible impacts of construction (soil compaction, rutting, topsoil mixing, etc.). WisDOT will only be constructing on the 12.57 acres purchased from Ms. Malloy and therefore any construction impacts should only occur on that property and should not affect any adjacent property owned by the Malloy Trust.

**Farm Owner/Operator(s):** Joseph and Mary Jo Brusky

**Proposed Acquisition:** Fee-simple acquisition of 5.97 acres

The affected parcel is owned by Joseph and Mary Jo Brusky and is currently rented. The tenant rotates cash crops of corn and soybeans. The Brusky parcel (VH-51) is being affected due to the proposed construction of the roundabout on the westbound terminus of the STH 29 and CTH “VV” diamond interchange (Figure 9).

Mr. Brusky responded to DATCP’s survey by phone and indicated that he did not have any agricultural related concerns about the proposed project.

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**Farm Owner/Operator(s):** Robert and Kathleen McAllister  
**Proposed Acquisition:** Fee-simple acquisition of 13.39 acres

The McAllister's own and rent a total of 741 acres in the area that are used to grow corn, soybeans, and wheat. The McAllister parcels (VH-37, 53, 55, and 55-6) are being affected due to the proposed realignment of Milltown Road and the extension of North Pine Tree Road (Figures 9 and 10).

The McAllister's oppose the alternative that WisDOT has selected and prefer that WisDOT select one of the other two alternatives as they are more economical and do not waste as much farmland and tax payer money. They are opposed to the preferred alternative (Alternative 3), as it creates unusable farmland wedges, destroys homes, and has a negative impact on existing businesses. The McAllister's are also concerned that this acquisition will take 9% of their tillable acres in the village of Howard and the associated loss in income base.

The McAllister's are very concerned that the proposed realignment and construction could affect the drainage on their adjacent land. The McAllister's have previously had land acquired by WisDOT for the installation of a J-turn on STH 29 that was constructed in 2012. Since construction, the McAllister's adjacent farmland drainage has experienced flooding. The McAllister's are concerned that the construction of the proposed project could result in similar impediment of drainage on their adjacent land not acquired by WisDOT.

**Farm Owner/Operator(s):** James and Sandra Kropp  
**Proposed Acquisition:** Fee-simple acquisition of 5.02 acres

The affected parcel is owned by James and Sandra Kropp and is currently rented. The Kropp parcels (VH-50 and 52, HB-484 and 490) are being affected due to the proposed construction of the eastbound and westbound termini of the STH 29 and CTH "VV" diamond interchange (Figure 9).

The Kropp's are concerned about potential impacts to drainage and field access on their affected parcels.

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## **Potential Agricultural Impacts**

### ***Severance and Future Access***

The proposed project will sever the property of several farmland owners. The project will create a barrier on farms with land on both sides of the proposed realignments, creating a division between farmland that is currently contiguous. If WisDOT cannot provide access to a severed parcel, WisDOT will offer to purchase that land. Compensation for the value of the severed parcel should be addressed in the appraisal.

### ***Existing Access to Farmland***

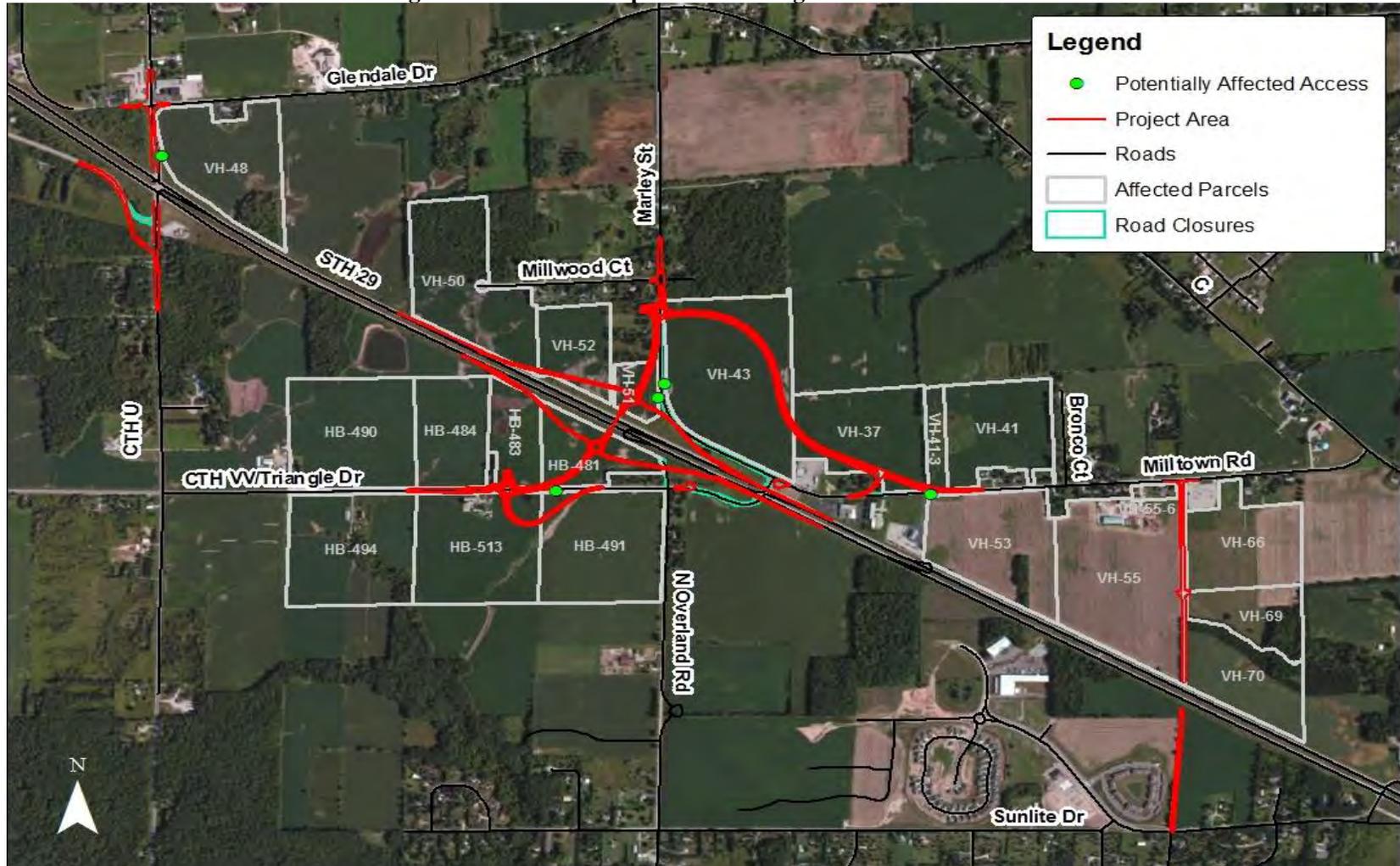
Existing farmland access points could also be impacted by the proposed project. Figure 11 displays current farm access points that could be affected by the proposed realignment and reconstruction, as identified from 2011 aerial imagery. WisDOT should consult with the landowners whose existing farm access will be impacted. Please see Appendix IV for more information and the Wisconsin statutes pertaining to access.

### ***Drainage***

Although this area of Brown County is not generally prone to drainage issues, the construction of the proposed project could potentially affect drainage on adjacent farmland. Some acquired parcels contain soil types that have somewhat poor to poor drainage classifications (see Table 7 in Section 3 – Agricultural Setting). This land is more likely to have existing drainage concerns and construction could disrupt the adequate water movement pattern, potentially amplifying current drainage problems. WisDOT should consult with the landowners to ensure that long-term impacts to drainage and drainage tiles do not occur.

Section 88.87 of the *Wisconsin Statutes* requires highways to be built with adequate ditches, culverts, and other facilities to prevent obstruction of drainage, protect property owners from damage to lands caused by unreasonable diversion or retention of surface water, and to maintain, to the extent practicable, the original drainage flow patterns. Landowners whose property is damaged by improper construction or maintenance of highway facilities and highway drainage structures may file a claim with WisDOT within three years after the damage occurs. Please refer to Appendix V for the statutes pertaining to drainage rights.

Figure 11. Potential Impacts to Existing Farm Access Roads.



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## **Landowner Guide to Wisconsin Eminent Domain Law**

### ***Appraisal Process***

Eminent domain is the government's ability, under Section 3 of Article 4 of the Wisconsin Constitution, to condemn or take private property for public use. Wisconsin law entitles the landowner to "just compensation", or fair market value, for the loss of property.

Before negotiations begin, WisDOT will provide an appraisal of the affected property to the landowners. An appraisal is an estimate of fair market value. This will be the basis for WisDOT's compensation offer. The amount of compensation is based on the appraisal(s) and is established during the negotiation process between WisDOT and the individual landowner.

Landowners have the right to obtain their own condemnation appraisal of their property and could be compensated for the cost of this appraisal if the following conditions are met:

- 1.) The appraisal must be submitted to WisDOT within 60 days after the landowner receives the WisDOT appraisal.
- 2.) The appraisal fee must be reasonable.
- 3.) The appraisal must be complete

WisDOT is required by law to provide landowners with information about their rights in this process before the negotiation begins. Please see Appendix VI for more information and the Wisconsin statutes pertaining to eminent domain and property acquisitions.

### ***Relocation Rights***

Under the Wisconsin Relocation Law, public agencies and local governments undertaking a publicly funded activity that displaces persons from their homes, farms, or businesses are required to file a relocation plan with the state's Relocation Unit. A relocation plan needs to explain the steps the agency or local government will take to help displaced owners and tenants find suitable replacement dwellings, farms or business locations; inform displaced persons on available state, federal, and local assistance programs; determine costs of relocation payments and services; and ensure that persons are not required to vacate dwellings without reasonable opportunity to find replacement dwellings (Wisconsin State Energy Office).

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## 6. RECOMMENDATIONS

DATCP recommends the following as ways to mitigate the potential adverse impacts to agriculture associated with the proposed project:

1. To address potential drainage problems that may occur as a result of the project, project officials should discuss design and construction plans with the Brown County land conservationist during the design process for this project.
2. The county land conservationist should also be consulted to ensure that construction proceeds in a manner that minimizes crop damage, soil compaction, and soil erosion on adjacent farmland.
3. Landowners and operators should be given advanced notice of acquisition and construction schedules so that farm activities can be adjusted accordingly. To the extent feasible, the timing of the acquisition and construction should be coordinated with the landowners and operators to minimize crop damage and disruption of farm operations.
4. WisDOT should consult with the landowner whose current and future access to farmland is affected. Where access is relocated or a new access point provided, WisDOT should consult with the affected landowner(s) to ensure that the new or altered access point is in a safe location for efficient farm use.
5. Current farm operators should be allowed to continue farming land acquired for the proposed project until it is needed for construction as long as there is adequate time to complete the growing season and harvest the crops.

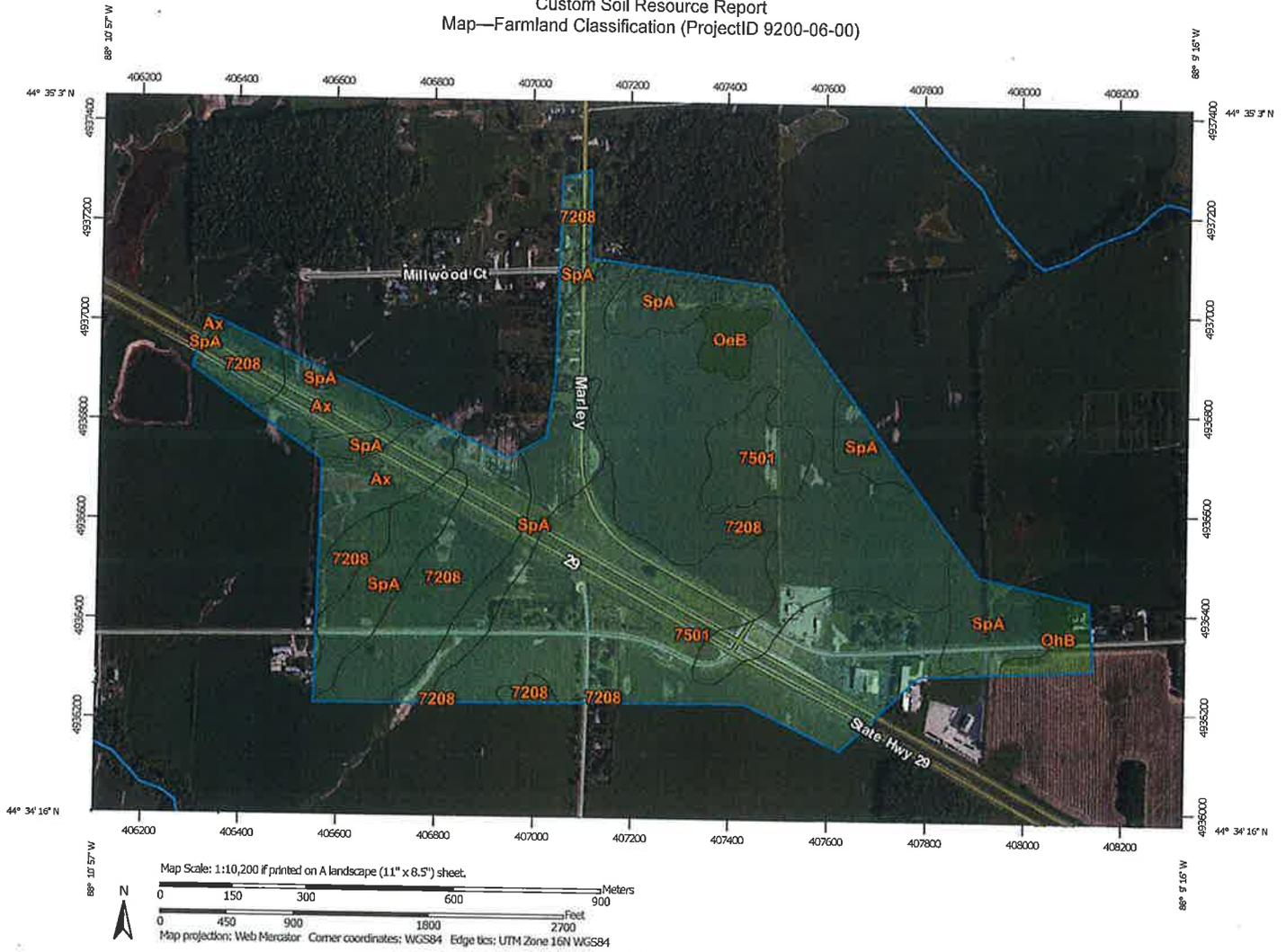
Farmland Conversion  
Impact Rating Form AD-1006 (NRCS)

# FARMLAND CONVERSION IMPACT RATING

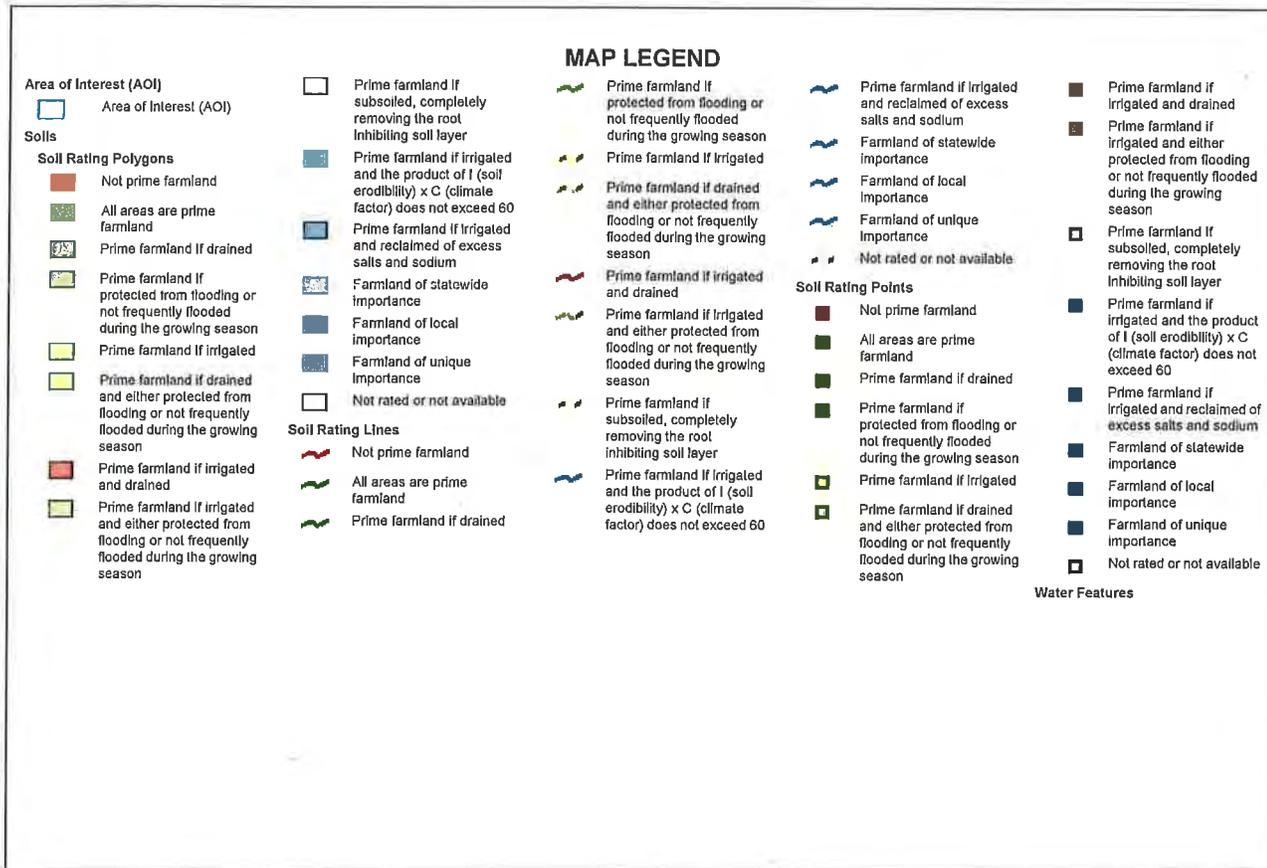
<b>PART I (To be completed by Federal Agency)</b>		1. Date of Land Evaluation Request 2/19/2015	2. Sheet 1 of 1	
3. Name of Project WIS 29 (CTH U to Woodland Road) WisDOT I.D. 9200-06-00		4. Federal Agency Involved Federal Highway Administration		
5. Proposed Land Use WIS 29 and adjoining Roadways Right of Way/Highway Improvements		6. County and State Brown County, WI	7. Type of Project: Corridor <input checked="" type="checkbox"/> Other <input type="checkbox"/>	
<b>PART II (To be completed by NRCS)</b>		1. Date Request Received by NRCS <i>Feb. 19, 2015 / Apr. 7 2015</i>	2. Person Completing the NRCS parts of this form <i>Phil Meyer</i>	
3. Does the site or corridor contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		4. Acres Irrigated	5. Average Farm Size <i>163</i>	
6. Major Crop(s) <i>Corn, Soybeans, Hay</i>	7. Farmable Land in Government Jurisdiction Acres: <i>314,964</i> % <i>90.2</i>	8. Amount of Farmland As Defined in FPPA Acres: <i>264,678</i> % <i>75</i>		
9. Name of Land Evaluation System Used <i>None</i>	10. Name of Local Site Assessment System <i>None</i>	11. Date Land Evaluation Returned by NRCS <i>Apr. 9, 2015</i>		
<b>PART III (To be completed by Federal Agency)</b>		<b>Alternative Site Rating</b>		
		<b>Site A</b>	<b>Site B</b>	<b>Site C</b>
A. Total Acres To Be Converted Directly		66.01		
B. Total Acres To Be Converted Indirectly, Or To Receive Services		0		
C. Total Acres in Site		66.01		
<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>				
A. Total Acres Prime and Unique Farmland				
B. Total Acres Statewide and Local Important Farmland				
C. Percentage of Farmland in County or Local Govt. Unit to be Converted				
D. Percentage of Farmland in Govt. Jurisdiction with Same or Higher Relative Value				
<b>PART V (To be completed by NRCS) Land Evaluation Criterion</b>				
<i>Relative Value of Farmland to be Serviced or Converted (Scale of 0 - 100 Points)</i>				
<b>PART VI (To be completed by Federal Agency) Corridor or Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b &amp; c))</b>		<b>Max. Points</b>		
		<b>Corridor</b>	<b>Other</b>	
1. Area in Nonurban Use		15	15	9
2. Perimeter in Nonurban Use		10	10	8
3. Percent of Site Being Farmed		20	20	18
4. Protection Provided by State and Local Government		20	20	20
5. Distance from Urban Built-up area		0	15	0
6. Distance to Urban Support Services		0	15	0
7. Size of Present Farm Unit Compared to Average		10	10	4
8. Creation of Non-Farmable Farmland		25	10	1
9. Availability of Farm Support Services		5	5	5
10. On-Farm Investments		20	20	1
11. Effects of Conversion on Farm Support Services		25	10	0
12. Compatibility with Existing Agricultural Use		10	10	5
<b>TOTAL CORRIDOR OR SITE ASSESSMENT POINTS</b>		160	71	
<b>PART VII (To be completed by Federal Agency)</b>				
Relative Value of Farmland (from Part V above)		100		
Total Corridor or Site Assessment (From Part VI above or a local site assessment)		160	71	
<b>TOTAL POINTS (Total of above 2 lines)</b>		260		
<b>PART VIII (To be completed by Federal Agency after final alternative is chosen)</b>				
1. Corridor or Site Selected: WIS 29 Overpass at CTH U, Interchange at WIS 29 and CTH VV, WIS 29 Overpass at North Pine Tree Road, realignment of adjoining side roads.		2. Date of Selection:		3. Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
4. Reason For Selection: Best meets WisDOT identified Purpose and Need of project,				

Signature of person completing the Federal Agency parts of this form:	DATE
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Custom Soil Resource Report  
 Map—Farmland Classification (ProjectID 9200-06-00)



Custom Soil Resource Report



## Custom Soil Resource Report

### MAP INFORMATION

-  Streams and Canals
- Transportation**
-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads
- Background**
-  Aerial Photography

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Brown County, Wisconsin  
Survey Area Data: Version 8, Sep 18, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial Images were photographed: May 4, 2011—Sep 6, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Custom Soil Resource Report

**Table—Farmland Classification (ProjectID 9200-06-00)**

<b>Farmland Classification— Summary by Map Unit — Brown County, Wisconsin (WI009)</b>				
<b>Map unit symbol</b>	<b>Map unit name</b>	<b>Rating</b>	<b>Acres in AOI</b>	<b>Percent of AOI</b>
7208	Onaway-Ossineke fine sandy loams, moraine, 1 to 6 percent slopes	Prime farmland if drained	100.2	41.0%
7501	Ossineke fine sandy loam, 0 to 2 percent slopes	Prime farmland if drained	74.1	30.3%
Ax	Angelica silt loam	Prime farmland if drained	16.1	6.6%
OeB	Onaway sandy loam, 2 to 6 percent slopes	All areas are prime farmland	3.6	1.5%
OhB	Onaway loam, 2 to 6 percent slopes	All areas are prime farmland	4.4	1.8%
SpA	Solona loam, 1 to 3 percent slopes	Prime farmland if drained	45.7	18.7%
<b>Totals for Area of Interest</b>			<b>244.2</b>	<b>100.0%</b>

**Rating Options—Farmland Classification (ProjectID 9200-06-00)**

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Lower

Farmland Classification—Brown County, Wisconsin, and Outagamie County, Wisconsin

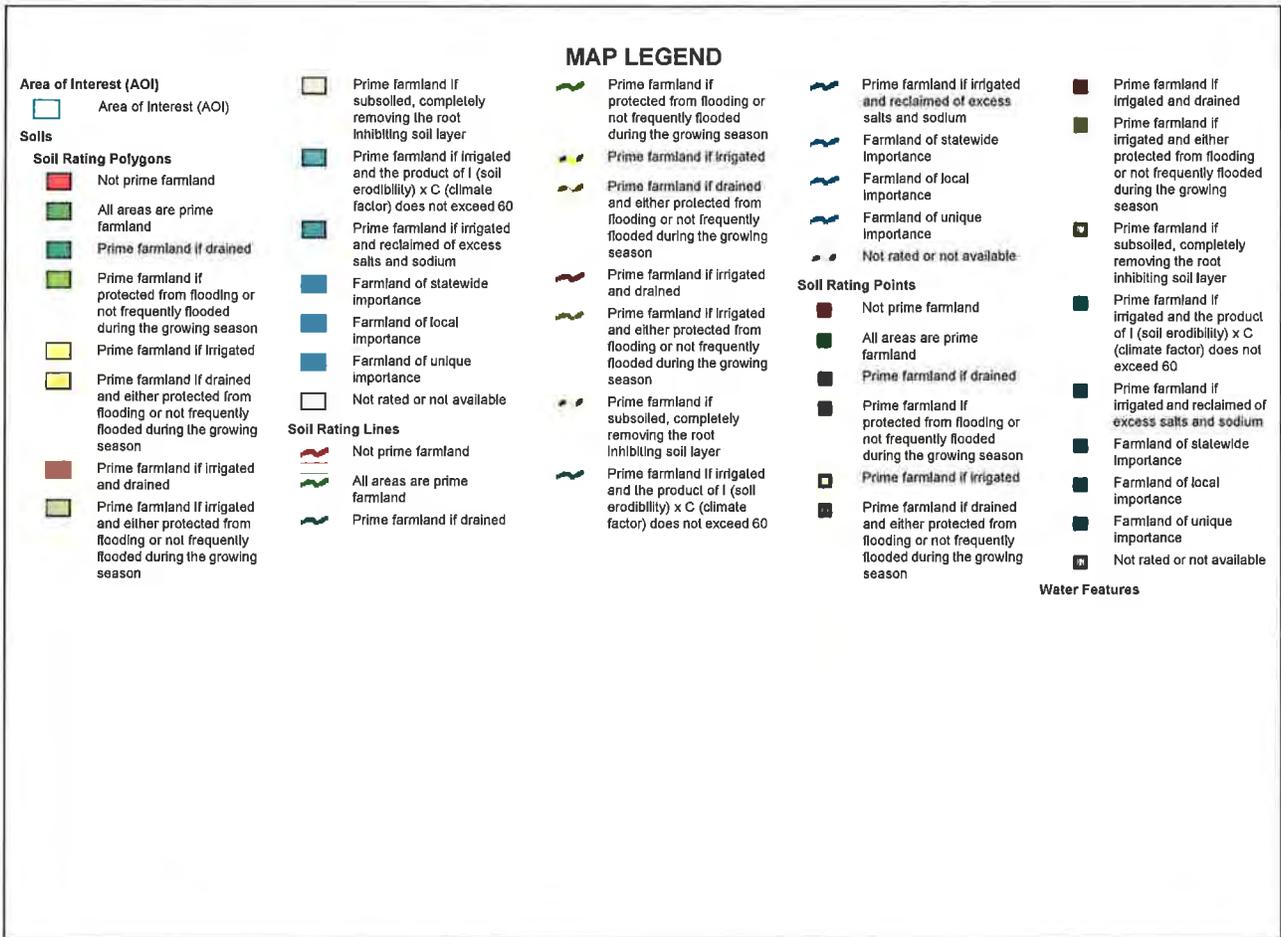


Map Scale: 1:1,550 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

Farmland Classification—Brown County, Wisconsin, and Outagamie County, Wisconsin



### MAP INFORMATION

-  Streams and Canals
- Transportation**
-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads
- Background**
-  Aerial Photography

The soil surveys that comprise your AOI were mapped at scales ranging from 1:15,800 to 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Brown County, Wisconsin  
Survey Area Data: Version 8, Sep 18, 2014

Soil Survey Area: Outagamie County, Wisconsin  
Survey Area Data: Version 7, Sep 19, 2014

Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 4, 2011—Sep 6, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Farmland Classification

Farmland Classification— Summary by Map Unit — Brown County, Wisconsin (WI009)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
7208	Onaway-Ossineke fine sandy loams, moraine, 1 to 6 percent slopes	Prime farmland if drained	0.7	5.9%
Rs	Roscommon muck	Not prime farmland	0.1	0.5%
SoA	Solona sandy loam, 1 to 3 percent slopes	Prime farmland if drained	0.1	0.5%
<b>Subtotals for Soil Survey Area</b>			<b>0.9</b>	<b>6.9%</b>
<b>Totals for Area of Interest</b>			<b>12.7</b>	<b>100.0%</b>

Farmland Classification— Summary by Map Unit — Outagamie County, Wisconsin (WI087)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
7208	Onaway-Ossineke fine sandy loams, moraine, 1 to 6 percent slopes	Prime farmland if drained	1.8	14.4%
Ax	Angelica silt loam	Prime farmland if drained	0.0	0.0%
De	Deford loamy fine sand	Not prime farmland	0.1	0.9%
SoA	Solona silt loam, 1 to 3 percent slopes	Prime farmland if drained	9.9	77.8%
<b>Subtotals for Soil Survey Area</b>			<b>11.8</b>	<b>93.1%</b>
<b>Totals for Area of Interest</b>			<b>12.7</b>	<b>100.0%</b>

### Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

### Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Lower

# APPENDIX 7

## Indirect and Cumulative Effects

Memorandum

April 11, 2019

To: WisDOT NE Region  
Ayres Associates

From: KL Engineering, Inc.

Re: ***Indirect and Cumulative Affects Update***  
WisDOT ID 9200-10-00  
Shawano – Green Bay  
CTH VV Interchange  
WIS 29  
Brown County

The purpose of this memo is to update and supplement an Indirect and Cumulative Effects Analysis conducted for a portion of the WIS 29 corridor in Brown County, Wisconsin. An Indirect and Cumulative Effects (ICE) analysis was prepared for a WIS 29 Corridor Preservation Study (WisDOT ID 1058-14-00) which had an Environmental Assessment (EA) approved in 2008. The ICE analysis was done in 2007 and documented in the “Consideration of Indirect and Cumulative Effects”, which was included in the EA as Attachment 13 – Cumulative and Indirect Impacts Summary Memo. A portion of the preliminary improvements analyzed in the ICE analysis, and in the WIS 29 Corridor Preservation Study EA, developed into the improvements proposed in the subject matter project, WisDOT ID 9200-10-00. Initial agency coordination, environmental analysis, and preliminary design of the CTH VV interchange and adjacent roadways was conducted under WisDOT project ID 9200-06-00. Although WisDOT progressed with the preliminary plan development and environmental study of a grade separated interchange at CTH VV under 9200-06-00, project plans and environmental documentation were never finalized due to a lack of available construction funding. Preliminary design, environmental analysis, and agency coordination from Project ID 9200-06-00 were carried forward into the current Project ID 9200-10-00. An ICE Update Memo drafted in 2015 for Project ID 9200-06-00 was used as the origin of the current ICE Update Memo. Conclusions of the 2015 ICE Update Memo (ID 9200-06-00) are consistent with the conclusions documented in this memo (ID 9200-10-00).

The WIS 29 Corridor Preservation Study ICE memo is included in Appendix 2. The memo provides a summary of the process and conclusions of the analysis of indirect effects and the analysis of cumulative effects for the WIS 29 Corridor. These analyses evaluate potential indirect and cumulative impacts to resources resulting from the preferred alternative for WIS 29 right-of-way preservation.

The goal of this memo is to update the results of the WIS 29 Corridor Preservation Study’s Indirect and Cumulative Effects Analysis that pertain to WisDOT ID 9200-10-00. Specific items addressed in this memo include:

- Discussion of the WIS 29 project(s’) scope, proposed improvements, and how they differ
- Summary of identified Indirect and Cumulative Effects from the 2007 ICE Analysis
- Updates to project area demographic information supplied in the 2007 ICE Analysis
- Updates to local planning efforts since the 2007 ICE Analysis
- Summary of local agency coordination
- Indirect and Cumulative Effects conclusions
- Avoidance, minimization, mitigation, and monitoring discussion

## Project Descriptions

The WIS 29 Corridor Preservation Plan covers approximately 6.80 miles of WIS 29 (WIS 32 to County J). Project ID 9200-10-00 includes design for only a portion of the WIS 29 corridor included in the WIS 29 Right-of-Way Preservation Plan (approximately 2 miles). Both projects include the County U and County VV intersections with WIS 29, and both projects include a new diamond interchange at the WIS 29 / County VV intersection.

The main difference between the projects is at the County U intersection. The Preservation Plan included an overpass at County U, Project ID 9200-10-00 recommends closure of the WIS 29 intersection with County U (County Line Road).

The main design components of both projects are summarized below.

### **WIS 29 Corridor Preservation Plan (WIS 32 to CTH J)**

The preferred alternative for WIS 29 right of way preservation, included:

- an overpass at County U
- a diamond interchange at County VV, 1,700' west of the existing intersection with WIS 29
- a diamond interchange at County FF
- WIS 29 access removed at Sunlite Drive and Woodland Road
- restoration of local road connections for Milltown Road, Triangle Road, Golden Pond Park Court
- an overpass located at North Pine Tree Road

### **WIS 29: ID 9200-10-00 (CTH VV Interchange)**

The preferred alternative for Project ID 9200-10-00 includes the following proposed improvements:

- closure of the WIS 29 intersection with County U (County Line Road)
- a diamond interchange at County VV, 1,700' west of the existing intersection with WIS 29
- the interchange would connect with Marley Street to the north and County VV to the south; roundabouts would be constructed at the County VV/WIS 29 eastbound ramp terminus and the Marley Street/WIS 29 westbound ramp terminus
- local roads (Milltown Road, Triangle Drive, North Overland Road) would be realigned to intersect with and match the County VV intersection and associated roundabouts

## Summary of Previously Identified Indirect and Cumulative Impacts

### **(WIS 29 Corridor Preservation Plan ICE Analysis - 2007)**

For the purposes of evaluating indirect and cumulative effects, the scope of the 2007 WIS 29 Corridor Preservation Plan ICE analysis was defined as an area along WIS 29 from the Shawano County line on the west to the US 41 interchange on the east. The study area extended north and south of WIS 29 approximately one mile and include portions of the Village of Hobart and the Village of Howard, the Town of Oneida, the Town of Pittsfield and the Oneida Nation. The time frame for the ICE analysis was determined to be 2005 through 2040, with year 2040 being the design year for the WIS 29 Right of Way Corridor Preservation Plan.

### **Previously Identified Indirect Impacts**

The primary indirect impact identified in the 2007 WIS 29 Corridor Preservation Plan ICE Analysis, and the primary indirect impact relevant for the current project (ID 9200-10-00), is land use development and change. The pattern of development that was anticipated to occur in the project area of the 2007 Corridor Study is similar to the current pace and type occurring now and expected to continue. It was anticipated that the potential for increased development could cause a decrease in the amount of agricultural land, wetlands and uplands currently within the WIS 29 corridor. In general, the indirect effects to these lands could potentially be proportional to the amount of development that occurs. Some commercial development was anticipated to shift towards the proposed interchange location. Residential development was expected to continue in rural and urban fringe areas. Limiting access along WIS 29 was expected to likely influence land use decisions in the future. In particular, the relocation and realignment of Milltown Road and Marley Street, and the interchange west of County VV, was expected to change local traffic patterns and likely facilitate the continued conversion of lands being used for agricultural purposes. The closure of the WIS 29 intersection with County U will have direct impacts to local traffic patterns, shifting traffic to the proposed interchange at County VV.

Indirect impacts of Project ID 9200-10-00 are expected to be consistent with those identified in the 2007 WIS 29 Corridor Preservation Plan ICE Analysis.

### Previously Identified Cumulative Impacts

The following resources were identified as having either direct impacts or indirect effects as a result of the WIS 29 Corridor Preservation Plan:

- Endangered species - Past activities and current activities may affect habitat of the Wood Turtle, which is known to occur within the project corridor. Continued development may affect habitat.
- Wetlands - Wetland conversion has been ongoing due to development. Wetlands in the project corridor have been impacted by filling and clearing for agricultural land uses and scattered residential and commercial development.
- Agricultural lands - Increased development and population growth results in conversion of agricultural lands. This has been a trend in the study area, and based on local comprehensive plans, this trend is expected to continue.
- Upland habitat - Continued development could result in a decrease in the amount and quality of wildlife habitat in upland areas and can create barriers to wildlife movements or result in mortality. Habitat fragmentation is also a major contributing factor in overall wildlife habitat degradation.
- Water quality - Increased pavement/impervious surfaces from the proposed actions and future development can increase stormwater run off and pollutants in receiving waters. Increased development and pavement/impervious areas could impact groundwater, and groundwater recharge practices may need to be considered.
- Ecology - Continued fragmentation impacts from this project plus past and future actions will change habitat characteristics especially in the area associated with the Milltown Road relocation.
- Noise levels - Past activities and current activities affect noise levels. Planned, long-term activities in the project study area are likely to continue to increase noise levels within the corridor.

The cumulative effect of this action and other projects expected in the foreseeable future, was determined to most likely be an increased pace of development and could influence the location of developments. Cumulative actions would likely decrease the amount of agricultural land, wetlands and uplands currently in their natural state within the project corridor. These impacts can be relatively minor when considered individually but collectively increase over a period of time.

Cumulative impacts of Project ID 9200-10-00 are expected to be consistent with those identified in the 2007 WIS 29 Corridor Preservation Plan ICE Analysis.

### Demographic Data and Trends

Evaluation of historical census data and expected population projections for the project area did not show any evidence of expected indirect or cumulative effects to any specific population groups. Changes in population trends and projections since the 2007 WIS 29 Corridor Preservation ICE Analysis do not result in any changes to previous ICE conclusions.

#### Population Trends – WIS 29 Corridor Preservation ICE Analysis

Analysis in the 2007 ICE document determined that populations within the area of potential effect had shown steady increases in the previous 25 years and were expected to continue to increase through 2025. Population in the Town of Pittsfield was projected to increase by about 1% per year. Population in the Village of Hobart was expected to increase by more than 25% by the year 2025. Population in the Village of Howard was expected to increase by more than 40% by the year 2025. The Town of Oneida population was expected to remain near its current population. Table 1 shows census information and population projections from the 2007 ICE Analysis.

**Table 1: 2007 ICE Analysis Population Trends**

	Census 1980	Census 1990	Census 2000	Estimate 2005	2010 Projection	2015 Projection	2020 Projection	2025 Projection
Town of Pittsfield	2219	2165	2433	2520	2619	2715	2810	2916
Village of Hobart	3765	4284	5090	5456	5822	6178	6530	6902
Village of Howard	8240	9874	13546	15217	16872	18479	20063	21700
Town of Oneida	3499	3858	4001	4148	4137	4125	4116	4093

Source: Demographics Services Center, Wisconsin Department of Administration prepared in 2004 based on U. S. Census information from 2000.

## Population Trends - Current

Current population projections for the project area have generally risen from what was projected in the 2007 ICE analysis. Projections for the Town of Pittsfield are generally unchanged, but projections for the Village of Howard, the Village of Hobart, and the Town of Oneida are higher than previously anticipated. Table 2 shows 2010 Census, 2017 population estimates, and 2025-2040 population projections.

**Table 2: Current Population Trends**

	<b>Census 2010</b>	<b>2017 Estimate*</b>	<b>2025 Projection</b>	<b>2030 Projection</b>	<b>2035 Projection</b>	<b>2040 Projection</b>
Town of Pittsfield	2608	2722	2960	3090	3165	3190
Village of Hobart	6182	8896	9705	10810	11750	12480
Village of Howard	17399	19634	23820	26110	28000	29370
Town of Oneida	4678	4699	5164	5345	5435	5455

Source: Demographics Services Center, Wisconsin Department of Administration prepared in 2014 based on U. S. Census information from 2010.  
\*2017 Estimate source is a US Census Bureau estimate.

## Project Area Demographics - Current

Other than total population statistics, demographics were not addressed in detail in the 2007 ICE Analysis. However, the following demographic analysis will be included in the WisDOT ID 9200-10-00 Environmental Report. Similar demographic analysis was also done for the WIS 29 Corridor Study EA (WisDOT ID 1058-14-00), using year 2000 census information. Although not identical, demographic information provided in the WIS 29 Corridor Preservation Study is generally consistent with current demographic information. Minor demographic changes since the 2007 WIS 29 Corridor ICE Analysis do not result in changes to previous ICE conclusions.

U.S. Census Bureau 2017 American Community Survey 5-year estimates indicate the following population characteristics for the villages of Howard and Hobart.

### Village of Howard

Total population—19,634  
 White—91.8% of total population  
 Black or African American—1.0% of total population  
 American Indian and Alaska Native—1.2% of total population  
 Asian—3.1% of total population  
 Hispanic or Latino—4.1% of total population  
 Age 65 and over—14.1% of total population

According to U.S. Census Bureau data estimates for the year 2017, the median household income (average of 3 persons per household) for the Village of Howard is \$63,289. Median household income for the Village of Howard is substantially above the national poverty line guideline of \$21,330 for households with 3 persons (Department of Health and Human Services, Federal Register, January 2019).

### Village of Hobart

Total population—8,896  
 White—79.3% of total population  
 Black or African American—0.0% of total population  
 American Indian and Alaska Native—10.6% of total population  
 Asian—4.0% of total population  
 Hispanic or Latino of any Race—1.7% of total population  
 Age 65 and over—12.5% of total population

According to U.S. Census Bureau data estimates for the year 2017, the median household income (average of 3 persons per household) for the Village of Hobart is \$72,151. Median household income for the Village of Hobart is substantially above the national poverty line guideline of \$21,330 for households with 3 persons (Department of Health and Human Services, Federal Register, January 2019).

## Local Government Planning

### **WIS 29 Corridor Preservation ICE Analysis (2007)**

The WIS 29 Corridor Preservation Study ICE analysis reviewed studies and comprehensive plans available for areas within the WIS 29 corridor project area. Existing and proposed commercial and residential development in this corridor were identified in the following plans:

- Brown County Year 2020 Land Use and Transportation Plan (2001)
- WIS 29 Corridor Study (Brown County Planning Commission, August 7, 2002)
- Village of Howard Comprehensive Plan (Brown County Planning Commission and Village of Howard, Adopted September 23, 2002)
- Village of Hobart Smart Growth Plan (2006)

Comprehensive planning information was not available for the Town of Pittsfield, Town of Oneida or the Oneida Nation at the time of the 2007 ICE analysis.

### **WIS 29: ID 9200-10-00 (2019)**

Since the time of the WIS 29 Corridor Study ICE analysis the following updates have been made to community comprehensive plans in the project area:

- **Brown County** is currently updating the County's comprehensive plan. The update is expected to be adopted in 2019. Brown County is aware of and supports the proposed WIS 29 improvements, and the project will be incorporated into the County's planning process.
- The **Village of Hobart** updated their comprehensive plan in 2016. Potential improvements to the WIS 29 corridor, including the WIS 29/CTH VV intersection, are identified. Hobart's Future Land Use Map for the project area shows substantial development, presenting the entire project area as Mixed-Use Commercial/Residential land uses. Since the time of the WIS 29 Corridor Preservation Plan ICE Analysis, the Village of Hobart has engaged in substantial development adjacent to WIS 29 and just east of the proposed WIS 29/CTH VV interchange. In 2009, the Village approved and began development of Centennial Centre at Hobart, the community's first downtown central business district. In 2009 the Village also extended construction of sewer and water to the entire Centennial Centre site. In addition to retail, institutional, and civic uses, the development outside of the commercial core also includes mixed-use residential, owner-occupied units, senior living options, and more than a dozen multi-family housing structures. The Proposed Action is consistent with the recommendations in Hobart's plan.
- The **Village of Howard** updated their comprehensive plan in 2012. The updated Village of Howard Comprehensive Plan shows planned improvements for a Marley Street/County VV interchange and a reconfigured Milltown Road, that is consistent with the proposed improvements under WisDOT Project ID 9200-10-00 and consistent with what was assumed in the WIS 29 Corridor Preservation Study ICE analysis. The Comprehensive Plan and Future Land Use Map for the Village of Howard show plans for commercial, office park, and residential development in the general project area between County U and east of County VV. This is a change from the agricultural land uses shown in plans analyzed for the WIS 29 Corridor Preservation Plan ICE Analysis.
- The **Town of Pittsfield** adopted their comprehensive plan in 2007, and that plan is currently being updated. The Proposed Action is consistent with the recommendations of the plan.
- The **Oneida Nation of Wisconsin** adopted a Comprehensive plan in 2008, and made updates to that plan in 2014; there are no apparent conflicts between the Oneida Nation's plan and the proposed WIS 29 project. The Oneida Nation's plan identifies the WIS 29 Corridor as an area of commercial development, with identified land uses that should primarily be composed of commercial, industrial, and institutional uses. Developments should be concentrated around major access points with some smaller scale developments located along frontage roads. The Oneida Nation is aware of the proposed WIS 29 improvements, and the project's implementation is incorporated into their planning efforts.
- The **Town of Oneida** in Outagamie County adopted a Comprehensive Plan in 2009. The plan identifies easy and convenient access to WIS 29 as a priority. The proposed improvements at County U and County VV are not specifically identified in the plan.

## Local Agency Coordination

### Completed to Date

Brown County, the village of Howard, and the village of Hobart collaborated on the application for a grant from the U.S. Department of Transportation's "Better Utilizing Investments to Leverage Development" (BUILD) discretionary funding to help fund the WIS 29/County VV interchange project. The grant was awarded in Fall 2018. Brown County and the two Villages are partners on the project and have a vested interest in project activities.

Local agency coordination completed to date as part of Project ID 9200-10-00 include:

- Meetings to discuss proposed improvements were held between WisDOT, Brown County, and the villages in February 2019.
- Meetings with the Oneida Nation were held in February 2019 and April 2019 to discuss proposed improvements and previously identified concerns of the Oneida Nation, including potential impact to the headwaters of Trout Creek.
- A Local Officials Meeting was held in April 2019 to discuss additional design progress and the proposed project schedule.

All local governments have been made aware of the proposed project, have not acknowledged any opposition, and the project's implementation is incorporated into their planning efforts.

### Targeted Outreach still to be Completed

- **Oneida Nation (April/May 2019)** – future meeting to discuss proposed improvements and specific Oneida Nation concerns. Meeting participants will include WisDOT staff, project consulting staff, Oneida Tribe water resource specialists, and Oneida Tribe leadership. The Oneida Tribe of Indians of Wisconsin owns land in the area of the project and plans to continue to regain tribal land in this area. The Oneida Tribe has expressed concerns about project watershed impacts to the headwaters of Trout Creek. The project is anticipated to have direct impacts to the watershed through the creation of a storm water pond. The inclusion of new roadway connections may also result in indirect effects to Trout Creek headwaters. The results of targeted outreach with the Oneida Tribe will provide input for the project's final design and be included in ID 9200-10-00's environmental documentation.
- **Outagamie County (April 2019)** - meeting to discuss proposed improvements and specific Outagamie County concerns. Meeting participants will include WisDOT staff, project consulting staff, and Outagamie County staff.
- **Town of Oneida (April 2019)** - meeting to discuss proposed improvements and specific Town of Oneida concerns. Meeting participants will include WisDOT staff, project consulting staff, and Town representatives.
- **Local Officials Meeting (May 2019)** - meeting to discuss proposed improvements and any Local Government concerns. Meeting participants will include WisDOT staff, project consulting staff, and local government representatives.

### Indirect and Cumulative Impact Conclusions (ID 9200-10-00)

As stated in the 2007 ICE Analysis for the WIS 29 Corridor Preservation Study, the most likely cumulative effect of this action and other projects expected in the foreseeable future is an increased pace of development, and the project could potentially influence the location of those future developments. The pattern of development that is anticipated to occur in the study area would most likely be similar to the type occurring now. Some commercial development could shift towards the proposed interchange locations. Residential development is anticipated to continue in rural and urban fringe areas based on past trends and local plans. The potential for increased development could cause a decrease in the amount of agricultural land, wetlands, and uplands currently in natural use within the project corridor.

Project impacts to the Trout Creek headwaters are identified as a potential indirect effect of the proposed action. Targeted outreach with the Oneida Tribe will continue to provide input for the project's final design.

Based on the analysis conducted for this memorandum, there is no indication that WisDOT Project ID 9200-10-00 will produce any additional indirect or cumulative effects not identified in the ICE analysis prepared for the WIS 29 Corridor Preservation Study. Results of the 2007 WIS 29 Corridor Preservation Study ICE analysis are relevant to the proposed improvements included in WisDOT Project ID 9200-10-00.

## Avoidance, Minimization, Mitigation, and Monitoring

The decisions regarding future land use and development will influence avoidance, minimization, and mitigation of indirect and cumulative effects on resources within the study area. The primary responsibility for land use decisions and permitting lies with local governments such as the Villages of Howard and Hobart, and the Towns of Oneida and Pittsfield. Comprehensive plans for these communities address preservation goals and policies for avoiding and minimizing impacts. Wetlands and floodplain zoning ordinances along with land use and water resource preservation plans are examples of tools to be used in preserving resources.

As work on the corridor proceeds, WisDOT will ensure that mitigation for the work associated with the WIS 29 freeway conversion is implemented. Direct impacts to wetlands, waterways, and uplands will be avoided and minimized to the extent practicable. WisDOT's interagency Wetland Mitigation Banking Technical Guidelines will be followed to mitigate unavoidable wetland impacts. WisDOT will follow Wisconsin Administrative Code Chapter TRAN 401 and the WisDOT/DNR Cooperative Agreement Amendment regarding erosion control and stormwater management to minimize the potential for adverse effects from project construction. The Wisconsin DNR and the U.S. Army Corps of Engineers also have authority to help ensure that potential effects are avoided, minimized and mitigated to the extent practicable through state and federal regulatory/permit programs.

As development occurs, local governments have the statutory authority to manage any potential negative impacts to natural, cultural, historic or socio-economic resources through planning and zoning authorities provided in state statutes and local regulation. Wetlands that may be impacted by additional growth are currently protected under state and federal laws. Any fill placed in wetlands will require a permit. Sewer service area planning conducted by Brown County and any future service extensions in the undeveloped portions of the analysis area can also take into account management of these resources. Local units of government may also consider establishing stormwater management boards to identify and address potential negative impacts from growth and development. Flood plain fill and mitigation is also managed by the local agencies and should be monitored to assure that adequate storage is created in the study area to provide appropriate mitigation for the impacts. Local agencies will need to coordinate with the appropriate state and county agencies as development continues to help avoid and minimize negative indirect effects. Land use decisions are made in the study area by local agencies. By applying appropriate land management techniques, negative effects from development to the environment can be avoided and/or minimized.

The Department of Agriculture Trade and Consumer Protection DATCP recommends the following as ways to mitigate potential adverse impacts to agriculture lands:

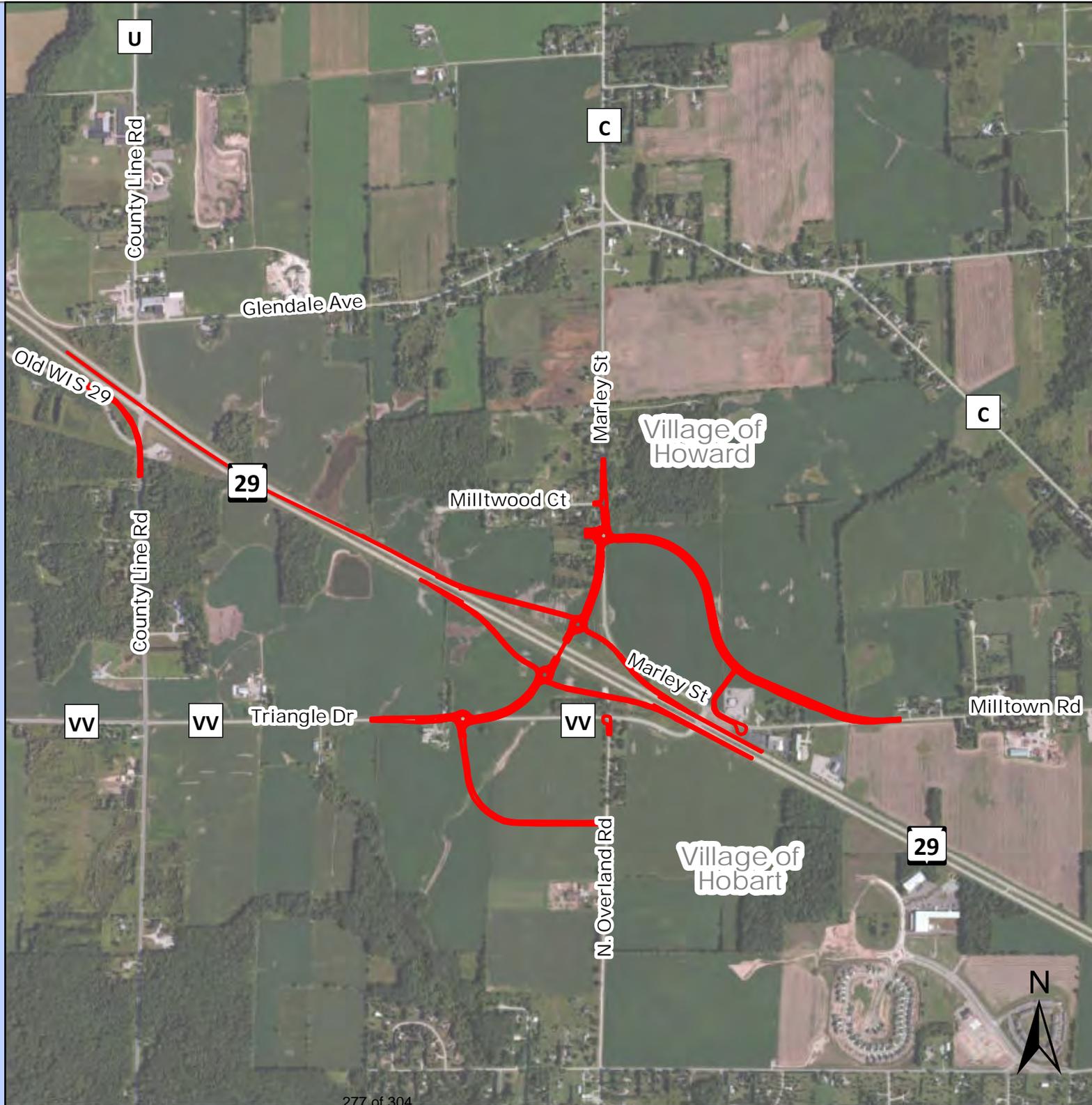
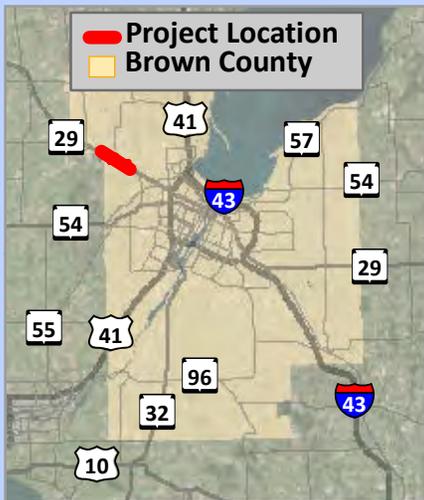
- To address potential drainage problems that may occur as a result of the project, project officials should discuss design and construction plans with the Brown County land conservationist during the design process for this project.
- The Brown County land conservationist should also be consulted to ensure that construction proceeds in a manner that minimizes crop damage, soil compaction, and soil erosion on adjacent farmland.
- Landowners and operators should be given advanced notice of any acquisition and construction schedules so that farm activities can be adjusted accordingly. To the extent feasible, the timing of any acquisitions and construction should be coordinated with the landowners and operators to minimize crop damage and disruption of farm operations.
- WisDOT should consult with any landowner whose current and future access to farmland may be affected. Where access is relocated or a new access point provided, WisDOT should consult with the affected landowner(s) to ensure that the new or altered access point is in a safe location for efficient farm use.

# **Appendix 1**

## **Project Location Map**

# Project Location Map

**WIS 29**  
**(CTH U to Woodland Rd)**  
**Brown County**  
**Project I.D. 9200-06-00**



## **Appendix 2**

# **Cumulative and Indirect Impacts Summary Memo**

# **CONSIDERATION OF INDIRECT AND CUMULATIVE EFFECTS**

## **PROJECT ID 1058-14-00 WIS 29 RIGHT OF WAY PRESERVATION PLAN WIS 32 TO COUNTY J BROWN COUNTY**

**Date:** March 27, 2007

This document provides a summary of the process and conclusions of the analysis of indirect effects and the analysis of cumulative effects for the above referenced project. These analyses evaluate potential indirect and cumulative impacts to resources resulting from the preferred alternative for WIS 29 right of way preservation, which includes an overpass at County U, a diamond interchange at County VV 1700' west of the existing intersection with WIS 29, a diamond interchange at County FF, removing access to WIS 29 at Sunlite Drive and Woodland Road, restoring local road connections for Milltown Road, Triangle Road, Golden Pond Park Court, and an overpass located at North Pine Tree Road. The purpose and need, discussion of alternatives considered and evaluation of environmental factors and impacts are included in the Environmental Assessment prepared for the project.

### **EXISTING CONDITIONS AND DEVELOPMENT TRENDS**

Existing conditions and trends were identified and evaluated based on local and regional plans, demographic data and projections, and records illustrating development land use changes.

#### **Regional and Local Plans**

A number of studies and comprehensive plans are available for areas within the WIS 29 corridor. Existing and proposed commercial and residential development in this corridor are identified in the Brown County Year 2020 Land Use and Transportation Plan (2001), the STH 29 Corridor Study (Brown County Planning Commission, August 7, 2002), Village of Howard Comprehensive Plan (Brown County Planning Commission and Village of Howard, Adopted September 23, 2002) and the Village of Hobart Smart Growth Plan (2006). Comprehensive planning information is not available for the Village of Pittsfield, Town of Oneida or the Oneida Nation. The Town of Pittsfield is in the process of drafting a comprehensive plan. Other available plans include the Brown County 2002 Sewage Plan, the Brown County Farmland Preservation Program (1985) and the Green Bay MPO Long Range Transportation Plan (2005)

The Village of Howard comprehensive plan identifies western portions of the Village to remain agricultural in its 20-year plan. However, the plan also notes that the entire Village will be ultimately served with water and sewer services, which will facilitate future development in the Village. The Village of Hobart indicated their interest in potential commercial development in the area on the south side of WIS 29, east of Overland Drive and north of Sunlite Drive. This area is not currently served by sewer and water. The Village has indicated in discussions with the Project Team that it plans to extend these utilities to serve this area in the future. This

supports a trend for continued development along the corridor and within the study area boundaries.

### Land Use Trends

A tendency for residential and commercial development to extend westward from Green Bay into outer areas of Brown County, and the development of WIS 29, have influenced land use trends in recent decades. Surrounding communities have seen a conversion of agricultural land to residential and commercial development. These land use trends are expected to continue and surrounding communities have forecasted additional infrastructure needs including transportation systems, community buildings and utilities to meet these expectations.

### Demographic Data and Trends

Populations within the area of potential effect have shown steady increases in the past 25 years and are expected to continue to increase through 2025. Population in the Town of Pittsfield is projected to increase by about 1% per year. Population in the Village of Hobart is expected to increase by more than 25% between 2005 and 2025. Population in the Village of Howard is expected to increase by more than 40% by the year 2025. The Town of Oneida population is expected to remain near its current population.

	Census 1980	Census 1990	Census 2000	Estimate 2005	Projection 2010	Projection 2015	Projection 2020	Projection 2025
Town of Pittsfield	2219	2165	2433	2520	2619	2715	2810	2916
Village of Hobart	3765	4284	5090	5456	5822	6178	6530	6902
Village of Howard	8240	9874	13546	15217	16872	18479	20063	21700
Town of Oneida	3,499	3,858	4,001	4,148	4,137	4,125	4,116	4,093

Source: Demographics Services Center, Wisconsin Department of Administration prepared in 2004 based on U. S. Census information from 2000.

## INDIRECT EFFECTS ANALYSIS

### Indirect Effects Methodology

The methodology for conducting this analysis of indirect effects included guidance provided by the Federal Highway Administration (FHWA) in the National Cooperative Highway Research Program (NCHRP). The approach includes an eight step process by establishing an area of potential effect, reviewing existing local plans, goals and notable features, and identifying impact causing activities. Guidance provided in the Wisconsin Department of Transportation Facilities Development Manual Section 25-5-17 was also included in this analysis. Predicting indirect effects includes a certain level of uncertainty. The Project Team reviewed demographic trends and conducted interviews with local officials to identify the potential for, and magnitude of effects. The Village of Howard Village Planner and the Village of Hobart Village Administrator provided observations and insight on anticipated land use changes and the effect transportation improvements may have on the pace of land use changes. Significant GIS information is available throughout the study area. Comprehensive planning has been completed or is underway in all communities within the study area. The team then evaluated its findings and identified measures that can minimize adverse impacts of indirect effects.

### Project Study Area

For the purposes of evaluating indirect effects, the project study area is defined as an area along WIS 29 from the Shawano County line on the west to the US 41 interchange on the east. The study area extends north and south of WIS 29 approximately one mile and include portions of the Village of Hobart and the Village of Howard, the Town of Oneida, the Town of Pittsfield and the Oneida Nation. See attached exhibit.

The indirect effects analysis included consideration of the project's impact causing activities, assessment of the probability of induced land use change as a result of these activities, characterization of induced change and summary of the major influencing factors. These issues are compared to the indirect effects of no action taken. The analysis is summarized in the following table:

Impact causing Activities	Probability of Change	Characterization of Induced Change	Influencing Factors		Effect of No Action
			Supports Change	Discourages Change	
Interchange at County FF	Likely to induce moderate change	<ul style="list-style-type: none"> <li>Allows current and future land use patterns to continue</li> <li>Maintains cross highway traffic access from both sides of WIS 29</li> <li>Could increase pace of development</li> </ul>	<ul style="list-style-type: none"> <li>Sewer and water exists</li> <li>Current demand for development exists</li> <li>Property values have increased based on current development trends</li> </ul>	<ul style="list-style-type: none"> <li>Land use patterns established</li> <li>Reduced potential for development in northeast quadrant due to some loss of developable land</li> <li>Large area of wetlands are present in this area. Further development and impact to wetlands would need to meet both DNR and COE requirements.</li> <li>Existing Zoning regulations preclude certain developments</li> </ul>	<ul style="list-style-type: none"> <li>Existing land use trends would remain</li> </ul>
Relocating Golden Pond Park Court	Likely to induce change	<ul style="list-style-type: none"> <li>Expected to remove WisDOT's restriction prohibiting future</li> </ul>	<ul style="list-style-type: none"> <li>Increases opportunity for local road connection</li> </ul>	<ul style="list-style-type: none"> <li>Development would increase potential for significant wetland</li> </ul>	<ul style="list-style-type: none"> <li>Existing land use trends would remain</li> </ul>

Impact causing Activities	Probability of Change	Characterization of Induced Change	Influencing Factors		Effect of No Action
			Supports Change	Discourages Change	
		<ul style="list-style-type: none"> <li>connection to Forest Road</li> <li>Creates additional potential for development</li> </ul>	<ul style="list-style-type: none"> <li>Sewer and water exists within the current Gold Pond Court alignment</li> </ul>	<ul style="list-style-type: none"> <li>crossings</li> <li>Existing Zoning regulations preclude certain developments</li> </ul>	
Remove access at Sunlite Drive	Minimal	<ul style="list-style-type: none"> <li>Eliminates cross highway traffic and access from the south to WIS 29 at this location.</li> </ul>		<ul style="list-style-type: none"> <li>Reduced access to WIS 29</li> <li>Farmland Preservation</li> <li>Existing Zoning regulations preclude certain developments</li> <li>Lack of sewer or water service</li> </ul>	<ul style="list-style-type: none"> <li>Greater availability for potential development; potential for unmanaged development with multiple access points.</li> </ul>
Remove access at Woodland Road	Minimal	<ul style="list-style-type: none"> <li>Eliminates cross highway traffic and access from the north to WIS 29 at this location.</li> </ul>		<ul style="list-style-type: none"> <li>Reduced access to WIS 29</li> <li>Farmland Preservation</li> <li>Existing Zoning regulations preclude certain developments</li> <li>Lack of sewer or water service</li> </ul>	<ul style="list-style-type: none"> <li>Greater availability for potential development but inconsistent with land use plan</li> </ul>
Overpass at County U	Minimal	<ul style="list-style-type: none"> <li>Allows current and future land use patterns to continue</li> <li>No change to travel on County U</li> <li>Allows local traffic movement across WIS 29</li> </ul>		<ul style="list-style-type: none"> <li>Reduced access to WIS 29</li> <li>Farmland Preservation</li> <li>Existing Zoning regulations preclude certain developments</li> <li>Lack of sewer and water service</li> </ul>	<ul style="list-style-type: none"> <li>Greater availability for potential development but inconsistent with land use plan</li> </ul>
Interchange at County VV	Likely to induce change	<ul style="list-style-type: none"> <li>Allows current and future land use patterns to continue, but more focused at County VV.</li> <li>Could increase pace of development</li> <li>Maintains cross highway traffic access from both sides of WIS 29</li> </ul>	<ul style="list-style-type: none"> <li>Local plans acknowledge future interchange location at County VV.</li> <li>Local communities anticipate future development at County VV.</li> <li>Large tracts of undeveloped land available.</li> <li>Population levels increasing, particularly in Village of Howard.</li> </ul>	<ul style="list-style-type: none"> <li>Village of Howard Comprehensive Plan identifies this area as agricultural land use.</li> <li>Farmland Preservation</li> <li>Existing Zoning regulations preclude certain developments</li> <li>Lack of sewer and water service</li> </ul>	<ul style="list-style-type: none"> <li>Lower intensity and potentially slower pace of development</li> </ul>
Overpass at N. Pine Tree Road	Moderate change	<ul style="list-style-type: none"> <li>Allows local traffic movement across WIS 29</li> <li>Creates new cross highway traffic access from both sides of WIS 29</li> </ul>	<ul style="list-style-type: none"> <li>Increased inter-community traffic and accessibility can increase opportunity for development along the new portions of North Pine Tree Road</li> <li>Large tracts of undeveloped land available.</li> <li>Population levels increasing,</li> </ul>	<ul style="list-style-type: none"> <li>Lack of sewer and water services</li> <li>No direct access to WIS 29</li> <li>Existing Zoning regulations preclude certain developments</li> <li>Lack of sewer and water service</li> </ul>	<ul style="list-style-type: none"> <li>Existing land use trends will remain</li> <li>Development of an industrial park was identified in the Village of Howard Comprehensive Plan prior to the North Pine Tree Road proposal.</li> </ul>

Impact causing Activities	Probability of Change	Characterization of Induced Change	Influencing Factors		Effect of No Action
			Supports Change	Discourages Change	
			particularly in Village of Howard.		
Relocation of Milltown Road	Likely to induce change	<ul style="list-style-type: none"> <li>• May accelerate development</li> <li>• Facilitates local access to interchange at County VV</li> </ul>	<ul style="list-style-type: none"> <li>• Relocation of Milltown Road increases access to parcels of undeveloped land near County VV interchange.</li> <li>• Large tracts of undeveloped land available nearby.</li> <li>• Population levels increasing, particularly in Village of Howard.</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of sewer and water services</li> <li>• Farmland Preservation</li> <li>• Existing Zoning regulations precludes certain developments</li> </ul>	<ul style="list-style-type: none"> <li>• Existing land use trends will remain</li> </ul>
Conversion of Marley Street from WIS 29 to County C to a county highway.	Moderate	<ul style="list-style-type: none"> <li>• Facilitates local traffic needs</li> <li>• Facilitates setting from rural to urban</li> </ul>	<ul style="list-style-type: none"> <li>• Brown County and Village of Howard land use plans both identify this as a two-lane county boulevard with provision for bicyclists and pedestrians.</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of support from adjacent property owners</li> <li>• Sewer and water service is planned but not currently provided in this area.</li> <li>• Existing Zoning regulations preclude certain developments</li> </ul>	<ul style="list-style-type: none"> <li>• Existing land use trends will remain</li> </ul>
Conversion of Sherwood Street from WIS 29 to County C to a county highway.	Moderate	<ul style="list-style-type: none"> <li>• Facilitates change in setting from rural to urban</li> </ul>	<ul style="list-style-type: none"> <li>• Brown County and Village of Howard land use plans both identify this as a two-lane county boulevard with provision for bicyclists and pedestrians.</li> </ul>	<ul style="list-style-type: none"> <li>• Sewer and water service is planned but not currently provided in this area.</li> <li>• Existing Zoning regulations preclude certain developments</li> </ul>	<ul style="list-style-type: none"> <li>• Existing land use trends will remain</li> </ul>

### Assessment of Consequences of Indirect Effects

The pattern of development that is anticipated to occur in the project area with the proposed action would most likely be similar to the current pace and type occurring now. The potential for increased development could cause a decrease in the amount of agricultural land, wetlands and uplands currently within the project corridor. In general, the indirect effects to these lands could potentially be proportional to the amount of development that occurs. However, local government regulations that control the intensity, design and location of development as well as other local, state and federal regulations could prevent or minimize negative effects. Some commercial development could shift towards the proposed interchange locations. Residential development would likely continue in rural and urban fringe areas. Limiting and focusing access along WIS 29 is likely to influence land use decisions in the future. In particular, the relocation and realignment of Milltown Road and Marley Street, the new overpass at North Pine Tree Road Overpass, an interchange west of County VV and a future potential connection between Golden Pond Park Court and Forest Road will change local traffic patterns and can facilitate the continued conversion of lands currently being used for agricultural purposes. According to the Village of Howard comprehensive plan, continued conversion of agricultural land is identified and expansion of sewer and water services and other infrastructure needs have been addressed to facilitate anticipated residential and commercial developments. This is also evident in the Village of Hobart where the Village has purchased land in the area east

of Overland Drive and north of Sunlite Drive for potential development at some time in the future. They have also discussed with the Project Team the potential for continued land purchase in the immediate area. The Village indicated it is also considering the extension of sewer and water to serve this area.

### **Appropriate Mitigation Strategies for Indirect Effects**

The proposed project improvements, based on this analysis, are consistent with local land use plans. As development occurs, local governments have the statutory authority to manage any potential negative impacts to natural, cultural, historic or socio-economic resources through planning and zoning authorities provided in state statutes and local regulation. Wetlands that may be impacted by additional growth are currently protected under state and federal laws. Any fill placed in wetlands will require a permit. Sewer service area planning conducted by Brown County and any future service extensions in the undeveloped portions of the analysis area can also take into account management of these resources. Local units of government may also consider establishing stormwater management boards to identify and address potential negative impacts from growth and development. Flood plain fill and mitigation is also managed by the local agencies and should be monitored to assure that adequate storage is created in the study area to provide appropriate mitigation for the impacts. Local agencies will need to coordinate with the appropriate state and county agencies as development continues to help avoid and minimize negative indirect effects. Land use decisions are made in the study area by local agencies. By applying appropriate land management techniques, negative effects from development to the environment can be avoided and/or minimized. The following local units of government have ordinances and regulations in place to address potential negative effects of growth and development:

Brown County subdivision ordinance includes regulations adopted for the purpose of guiding the future growth and development of Brown County in accordance with adopted comprehensive plan and other county or local plans, to ensure adequate provision of efficient transportation, water, sewerage, stormwater drainage, schools, recreation, and other facilities, to ensure that the design of the transportation system will not have a negative long-term effect on neighborhood quality, traffic and pedestrian movement, and safety, to prevent and control erosion, sedimentation, and other pollution of air, streams, and ponds; to ensure the adequacy of drainage facilities; to safeguard potable water supplies; and to encourage the wise use and management of natural resources through the county, to preserve the natural beauty and topography of the county and to encourage appropriate development with regard to these natural features and to prevent destruction or impairment of environmentally sensitive areas. Other Brown County regulations include the Brown County Erosion Control Plan (adopted March 18, 1988), the Brown County Agricultural Shoreland Management Ordinance (adopted June 12, 1998), the Land and Water Resource Management Plan for Brown County (adopted March 17, 1999).

The Village of Howard code includes regulations for licensing and permitting, municipal utilities, zoning, subdivisions and platting, floodplain, shoreland and wetland zoning, and erosion control.

The Village of Hobart zoning ordinance includes regulations aimed to lessen congestion; to provide adequate standards of light, air and open space; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The Village of Hobart has adopted floodplain and shoreland zoning ordinances.

The Town of Pittsfield ordinances include regulations for agricultural and shoreland management and zoning.

## CUMULATIVE EFFECTS

The FHWA and other Federal agencies' are responsible for considering and addressing cumulative impacts as part of the National Environmental Policy Act (NEPA) process. The Project Team conducted the cumulative effects analysis following the recommended 11 step methodology established in the Council of Environmental (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR §§1500-1508).

As stated in 40 CFR § 1508.7, "Cumulative impact is the impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time."

### **Identify the Significant Cumulative Effects Issues Associated with the Proposed Action and Define the Assessment Goals (*Step 1*)**

The cumulative effects analysis will address the following resources that have been identified to have either direct impacts or indirect effects as a result of the WIS 29 Right Of Way Preservation Plan:

- Endangered species
- Wetlands
- Agricultural lands
- Upland habitat
- Water quality
- Ecology
- Noise levels

### **Establish the Geographic Scope for the Analysis (*Step 2*)**

For the purposes of evaluating cumulative effects, the project study area is defined as an area along WIS 29 from the Shawano County line on the west to the US 41 interchange on the east. The study area extends north and south of WIS 29 approximately one mile and include portions of the Village of Hobart and the Village of Howard, the Town of Oneida, the Town of Pittsfield and the Oneida Nation. See attached exhibit. Although the study area for cumulative effects included the one mile corridor shown in the exhibit, there are reasonably foreseeable activities throughout the Villages of Hobart and Howard, the Town of Oneida, and the Oneida Nation, that could have a cumulative effect on these resources.

### **Establish the Time Frame for the Analysis. Significant Cumulative Effects Issues Associated with the Proposed Action (*Step 3*)**

The time frame for the cumulative effects analysis was determined to be 2005 through 2040, with year 2040 being the design year for the WIS 29 Right of Way Corridor Preservation Plan.

### **Identify Other Actions Affecting the Resource (*Step 4*)**

Cumulative effects to the resources listed in Step 1, result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Past actions include the capacity expansion of WIS 29 to a four-lane divided roadway, including the relocation of WIS 29 in the

vicinity of County U. Other past actions include the development of new subdivisions along Hillside Road (County FF) south of WIS 29. Future actions that are reasonably foreseeable include improvements to highways outside of, but adjacent to the area covered under the proposed action. Some of these improvements have already been identified in local land use plans (Brown County and the Village of Howard) and include County VV, County FF, County C (Shawano Avenue), and Milltown Road. County U may also be improved to accommodate increased traffic volumes as a result of the changes of access to WIS 29. These improvements may include a wider roadway, increased shoulder widths and intersection improvements.

Other actions which could potentially affect the resources include the following:

#### USH 41 Expansion Project

The Wisconsin Department of Transportation is in the process of planning and designing a major expansion of US 41. The Brown County portion of the expansion project will include upgrading the existing four-lane highway to a six-lane facility. Included in this conversion, WIS 29 will be reconstructed between County J and US 41 and is expected to include a grade separation of the County J/WIS 29 intersection, a frontage road between County J and Packerland Drive and an interchange at Packerland Drive.

#### Oneida Nation Activities

The Oneida Nation has indicated they intend to regain ownership of lands within the reservation. The Oneida Nation plans for significant growth and has developed several community resources to address growth issues including; the Department of Public Works, the Land Office, Economic Development, Planning, Geographical Land Information Systems, Engineering, and Oneida Housing, Zoning and Construction. To facilitate these plans the Oneida Nation focuses their efforts on zoning, environmental impacts and urban development, coordinated with area municipalities through service contracts. One of their most aggressive planning efforts includes the Duck Creek Priority Watershed Project. This effort includes the revival of Duck Creek, which flows through the center of the reservation. This 10 year project calls for setbacks, sediment ponds and other preventive and restoration efforts.

#### Development Patterns

The pattern of development that is anticipated to occur in other portions of the study area with the proposed action would most likely be similar to the current pace and type occurring now. Some commercial development could shift towards the proposed interchange locations. Residential development is anticipated continue in rural and urban fringe areas based on past trends and local plans. Potential land use changes are within the decision-making authority of local governments in the project area. Comprehensive plans adopted by local governments indicate the type and locations for the future development. However, other key factors such as land availability and cost, regulatory approvals, and economic conditions also influence the amount, type and location of future development.

The potential for increased development could cause a decrease in the amount of agricultural land, wetlands and uplands currently in natural use within the project corridor. (Comment: These next 2 statements are conclusive in nature, recommend moving to Step 10.) In general, the cumulative effects to these lands could potentially be proportional to the amount of development

that occurs. However, local government regulations about the intensity, design and location of development as well as other state and federal regulations could prevent negative effects.

#### **Characterize the Resources, Ecosystems, and Human Communities Identified During Scoping in Terms of Their Response to Change and Capacity to Withstand Stress (*Step 5*)**

***Endangered Species:*** Past activities and current activities affect habitat of the Wood turtle, which is known to occur within the project corridor. Review of historic aerial photos shows that previous agricultural activities and more recent residential development have fragmented portions of habitat in the Thornberry and Lancaster Creek corridor. Continued development can affect habitat for these species. The proposed County FF interchange and realignment of Golden Pond Park Court have direct impacts to the creek. Without proper protection of wetland and creek corridors through local planning and zoning and other state and federal permitting practices, the proposed activities have the potential to continue to affect habitat for these species.

***Wetlands:*** Wetland conversion has been ongoing due to development. Wetlands in the project corridor have been impacted by filling and clearing for agricultural land uses and scattered residential and commercial development. Most remaining wetlands in the project corridor are located in the Thornberry Creek corridor at County FF. Proactive enforcement of federal, state and local laws and permitting processes can minimize further impacts to wetlands in the area. A total of approximately eight acres (3.2 ha) of wetlands will be impacted by the proposed action.

***Agricultural lands:*** Increased development and population growth results in conversion of agricultural lands. This has been a trend in the study area and based on local comprehensive plans, this trend is expected to continue. A total of approximately 47.2 acres (19.1 ha) of agricultural lands will be impacted by the proposed action.

***Upland habitat:*** Continued development could result in a decrease in the amount and quality of wildlife habitat in upland areas and can create barriers to wildlife movements or results in mortality. Habitat fragmentation is also a major contributing factor in overall wildlife habitat degradation. Upland habitat should be a consideration in future land use planning and zoning practices.

***Water quality:*** Increased pavement/impervious surfaces from the proposed actions and future development can increase stormwater run off and pollutants in receiving waters. Thornberry Creek is potentially more vulnerable with future street extensions and provision of new access to currently undeveloped land. Increased development and pavement/impervious areas could impact groundwater and groundwater recharge practices may need to be considered.

***Ecology:*** Continued fragmentation impacts from this project plus past and future actions will change habitat characteristics especially in the area associated with the Milltown Road relocation. This is evident from past and present aerial photography. Agricultural conversion has also played a role in fragmentation of upland habitat.

***Noise levels:*** Past activities and current activities affect noise levels. Planned, long-term activities in the project study area are likely to continue to increase noise levels within the corridor, including future transportation improvements such as Hwy 41 Expansion Project.

### **Characterization of Stresses Affecting These Resources, Ecosystems, and Human Communities and Their Relation to Regulatory Thresholds (*Step 6*)**

Population growth, planned development, sewer service extensions and transportation improvements on state, county and local roads are stresses that could potentially affect wetlands, water quality and upland habitat, ecology and noise levels in the study area.

### **Develop A Baseline Condition for the Resources, Ecosystems, and Human Communities (*Step 7*)**

The baseline condition for purpose of considering cumulative effects is based on the information and data provided in the Brown County Year 2020 Land Use and Transportation Plan (2001), local comprehensive plans, and review of development progression evident in aerial photography. Data or documentation which specifically addresses existing conditions or health of the resources in the study area is not available.

### **Identify the Important Cause-And-Effect Relationships between Human Activities and Resources, Ecosystems, and Human Communities (*Step 8*)**

Development and population growth are key stress factors affecting resources, ecosystems and human communities. Changes to transportation infrastructure, such as those anticipated for WIS 29, US 41 and enhancements to the local road system can result in both growth and development. Individual actions or combination of actions can alter an area in such a way that traffic may increase, development demands will increase and improvements will be required for roadways and/or utilities. These actions can also provide encouragement for businesses to locate within an area. Residential development may also inspire the development of additional community or recreational facilities. These actions and expected future activities would also increase noise levels within the study area. Local governments have comprehensive land management plans in place. Local governments must follow through with zoning and permitting policies and practices that examine effects and mitigation on an individual basis to ensure that as development continues with a balance of human and environmental needs.

### **Determine the Magnitude and Significance of Cumulative Effects (*Step 9*)**

The cumulative effect of this action and other projects expected in the foreseeable future, will most likely be an increased pace of development and could influence the location of developments. Cumulative actions would likely decrease the amount of agricultural land, wetlands and uplands currently in their natural state within the project corridor. These impacts can be relatively minor when considered individually but collectively increase over a period of time. Local government regulations about the intensity, design and location of development as well as other state and federal regulations could avoid or minimize negative effects. It should be noted that development specifically within wetlands and floodplains is regulated by local ordinances, and state and federal regulations. Ultimately, local governments are poised to influence land use and the type of development that occurs. Local units of government, particularly the Villages of Hobart and Howard have developed land use plans that show significant residential and commercial development and anticipate significant conversion of agricultural land. The proposed action is consistent with local planning initiatives and reflects expected future land use, timing of development and local street network changes, in affected communities. Direct impacts of the proposed action include the loss of approximately 8 acres (3.2 ha) of wetland and approximately 2.3 acres (0.9 ha) of upland habitat. There is also a

potential for erosion-related water quality impacts. Wetlands in the study area have been affected by past actions such as wetland drainage for agricultural practices and development. Runoff from existing agricultural operations and past residential and commercial development has also affected water quality. It is expected that future development would result in a decreases in wetlands and decline in water quality to some extent. However, the reasonably foreseeable actions within the study area are not likely to have more significant impacts on these resources if local units of government initiate and maintain a proactive practice toward protecting these resources and maintaining a commitment to mitigation as development continues.

#### **Modify or Add Alternatives to Avoid, Minimize, or Mitigate Significant Cumulative Effects (Step 10)**

The decisions regarding future land use and development will influence avoidance, minimization and mitigation of cumulative effects on resources within the study area. The primary responsibility for land use decisions and permitting lies with local governments such as the Villages of Howard and Hobart, and the Towns of Oneida and Pittsfield. Comprehensive plans for some of these communities address preservation goals and policies for avoiding and minimizing impacts. As these plans are finalized and implemented, other tools such as municipal boundary agreements may be incorporated to guide the location and extent of growth and service areas. Wetlands and floodplain zoning ordinances along with land use and water resource preservation plans are examples of such tools to be used in preserving resources.

As work on the corridor proceeds, WisDOT will ensure that mitigation for the work associated with the WIS 29 freeway conversion is implemented. Direct impacts to wetlands and uplands have been avoided and minimized to the extent practicable. WisDOT's interagency Wetland Mitigation Banking Technical Guidelines will be followed to mitigate unavoidable wetland impacts. WisDOT will follow Wisconsin Administrative Code Chapter TRAN 401 and the WisDOT/DNR Cooperative Agreement Amendment regarding erosion control and stormwater management to minimize the potential for adverse effects from project construction. The Wisconsin DNR and the U.S. Army Corps of Engineers also have authority to help ensure that potential effects are avoided, minimized and mitigated to the extent practicable through state and federal regulatory/permit programs.

#### **Monitor and Evaluate the Cumulative Effects of the Selected Alternative and Adapt Management (Step 11)**

The future highway development projects resulting from the WIS 29 Right of Way Preservation study in Brown County can influence the planned long-term land uses in the Villages of Howard and Hobart, the Towns of Pittsfield and Oneida, and the Oneida Nation. These communities are anticipating additional development. Further development is consistent with the expectations and recommendations of local plans. The WIS 29 freeway conversion will support and benefit the Villages' planned growth. The Right of Way Preservation Plan will provide these communities with established right of way needs and future access points around which communities can plan their future development. These communities should continue to develop, maintain and enforce storm water management plans. They should have zoning in place and actively enforce the requirements of these ordinances to protect riparian corridors, wetlands and water quality.

By applying appropriate land management techniques, negative effects from development to the environment can be avoided and/or minimized. As indicated above, the following local units of government have ordinances and regulations in place to address potential negative effects of growth and development:

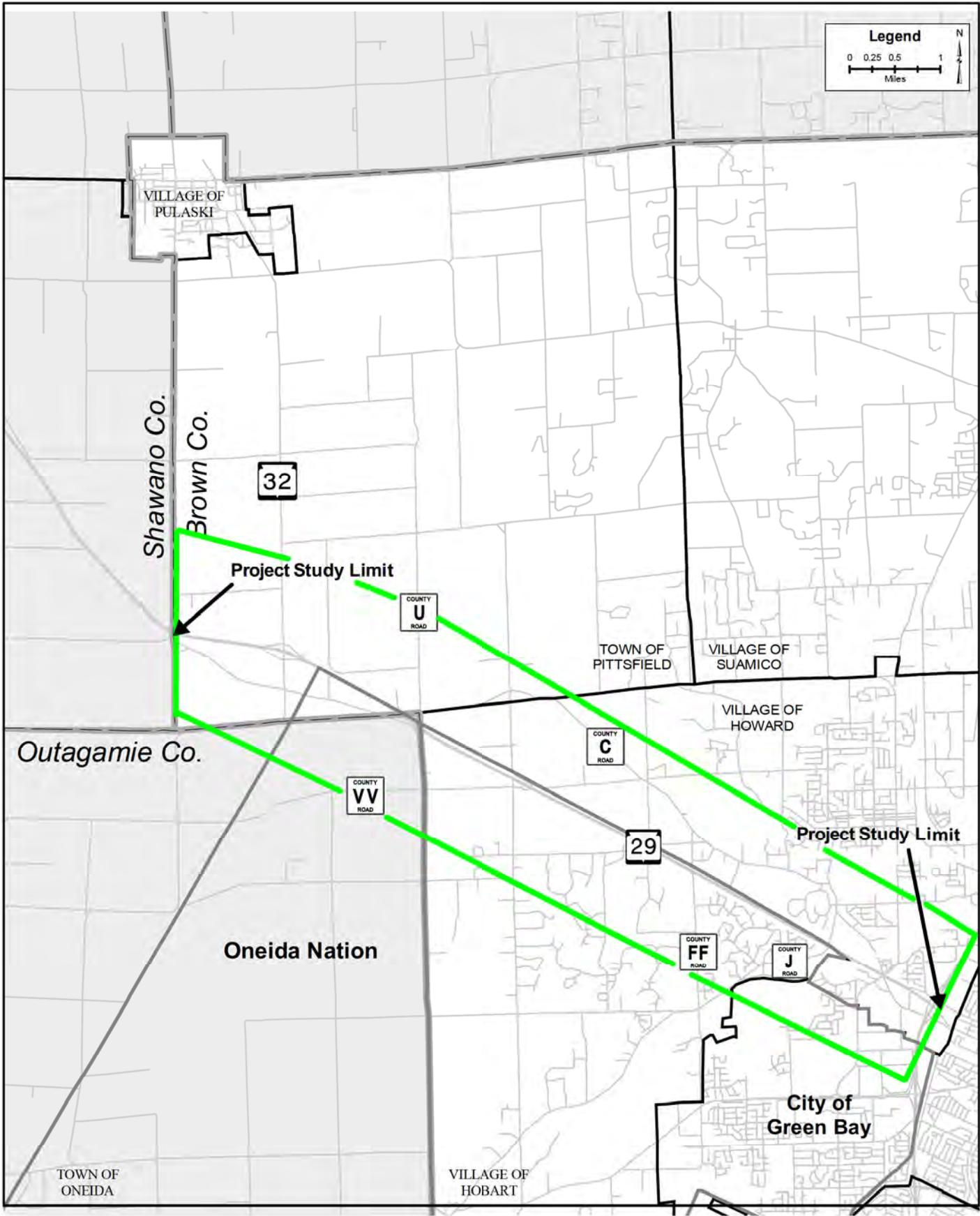
Brown County subdivision ordinance includes regulations adopted for the purpose of guiding the future growth and development of Brown County in accordance with adopted comprehensive plan and other county or local plans, to ensure adequate provision of efficient transportation, water, sewerage, stormwater drainage, schools, recreation, and other facilities, to ensure that the design of the transportation system will not have a negative long-term effect on neighborhood quality, traffic and pedestrian movement, and safety, to prevent and control erosion, sedimentation, and other pollution of air, streams, and ponds; to ensure the adequacy of drainage facilities; to safeguard potable water supplies; and to encourage the wise use and management of natural resources through the county, to preserve the natural beauty and topography of the county and to encourage appropriate development with regard to these natural features and to prevent destruction or impairment of environmentally sensitive areas. Other Brown County regulations include the Brown County Erosion Control Plan (adopted March 18, 1988), the Brown County Agricultural Shoreland Management Ordinance (adopted June 12, 1998), the Land and Water Resource Management Plan for Brown County (adopted March 17, 1999).

The Village of Howard code includes regulations for licensing and permitting, municipal utilities, zoning, subdivisions and platting, floodplain, shoreland and wetland zoning, and erosion control.

The Village of Hobart zoning ordinance includes regulations aimed to lessen congestion; to provide adequate standards of light, air and open space; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The Village of Hobart has adopted floodplain and shoreland zoning ordinances.

The Town of Pittsfield ordinances include regulations for agricultural and shoreland management and zoning.

Local governments are primarily responsible for monitoring cumulative effects to wetlands, uplands, water quality, conversion of agricultural lands, noise levels and habitat for endangered and aquatic resources within the study area. Other agencies such as the DNR and the U.S. Army Corps of Engineers also have authority to monitor these impacts through state and federal permit programs. WisDOT will ensure that all mitigation is implemented and monitored as necessary for project impacts and will ensure that when the project moves forward and the final right of way acquisition process advances, that a process is continued for considering, minimizing and mitigating cumulative effects.



**WIS 29 RIGHT OF WAY PRESERVATION PLAN**

— Project Study Area - for Indirect and Cumulative Effects

source: Shawano County



# APPENDIX 8

## Wetland Impact Information

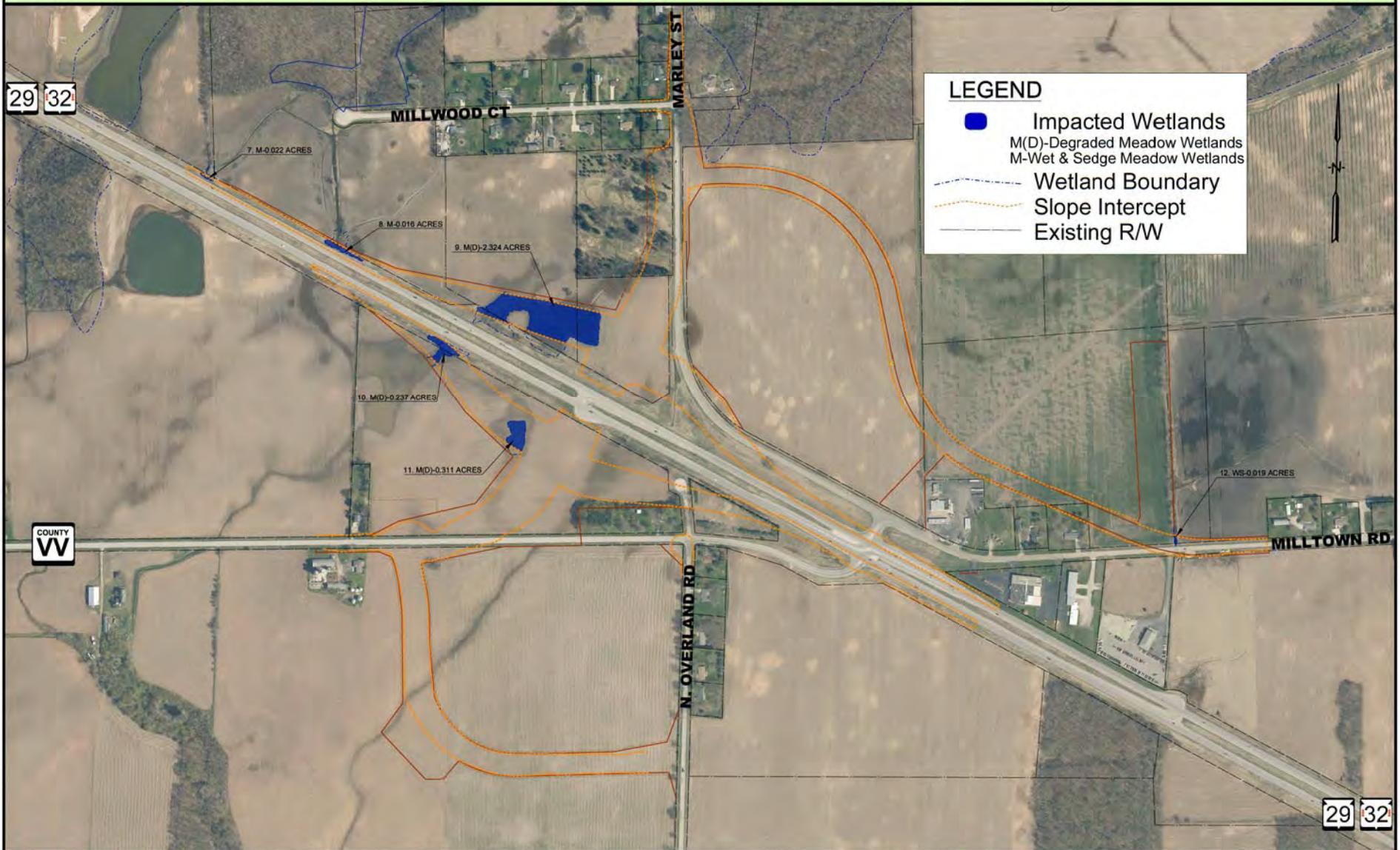
# County U Preferred Alternative Wetland Impacts



**WIS 29/COUNTY VV Interchange, Brown County**



# County VV Preferred Alternative Wetland Impacts



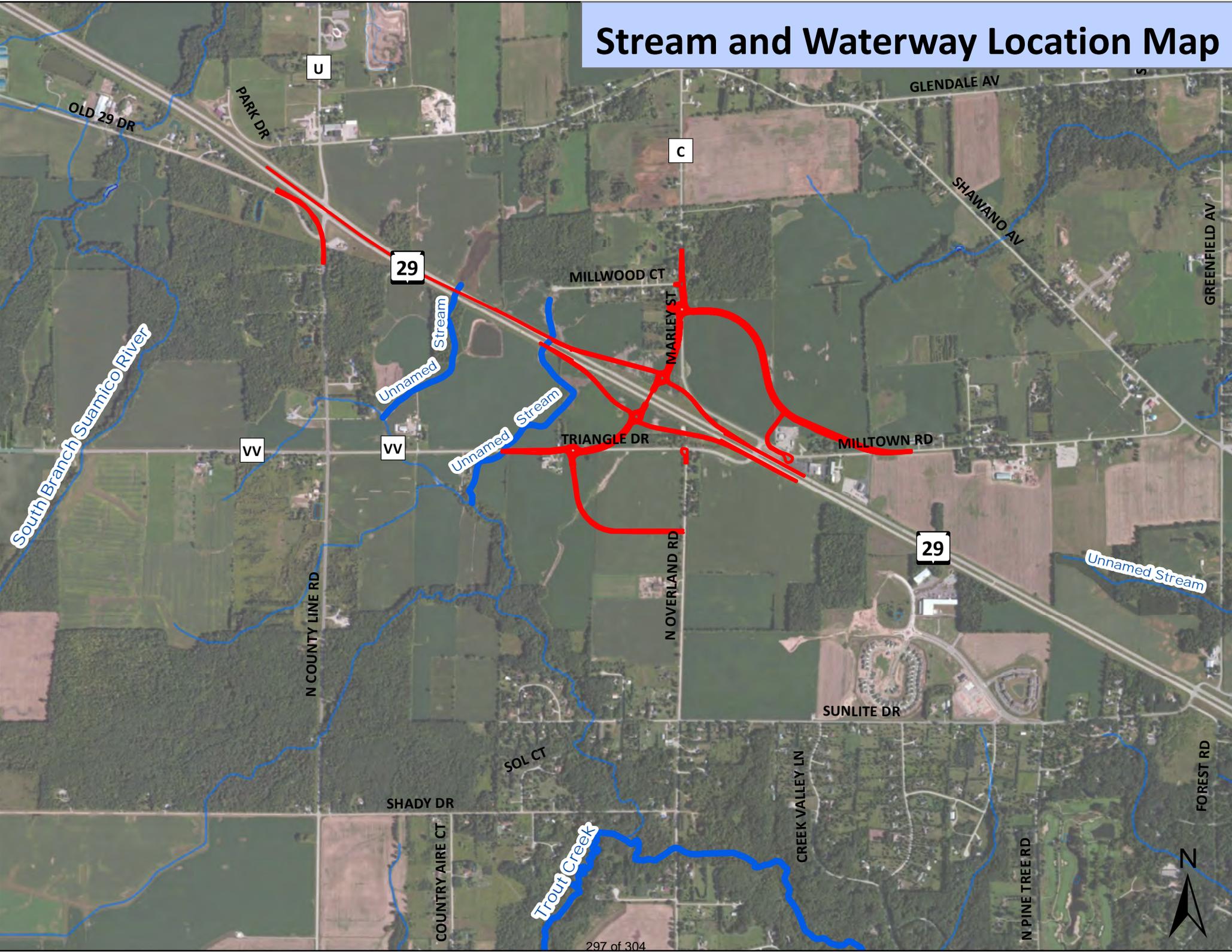
**WIS 29/COUNTY VV Interchange, Brown County**



# APPENDIX 9

## Waterway Impacts

# Stream and Waterway Location Map



## APPENDIX 10

# Traffic Noise Receptor Location Map



APPENDIX 11  
2008 Corridor Preservation Study  
EA/FONSI Cover Sheet

# ENVIRONMENTAL EVALUATION OF FACILITIES DEVELOPMENT ACTIONS

Wisconsin Department of Transportation  
DT2094 8/2005

Project ID 1058-14-00	Funding Source <input type="checkbox"/> State Only <input checked="" type="checkbox"/> Federal	Federal Number
Project Name (Highway, Airport, Rail Line) WIS 29 Right of Way Preservation Plan		Project Termini WIS 32 to County J
Sections T25N R19E SEC 30,31,32,33,34 T24N R19E SEC 2,3,4,10,11,12,13 T24N R20E SEC 7,18	Counties Brown and Outagamie	Estimated Project Cost (Include R/W acquisition) \$43,400,000

It is determined, after review of the comments from the public, and coordination with other agencies, that this action would not significantly affect the quality of the human environment. This document is a

Finding of No Significant Impact (FONSI).

Environmental Assessment (EA) No Significant Impacts Indicated by Initial Assessment

Environmental Assessment (EA) EIS Required

Environmental Report (2-ER)

Michael C. M. Cathy 10/24/07  
(Signature) (Date)

Michael C. M. Cathy 4/30/07  
(Signature) (Date)

PROJECT MANAGER, EMCS  
(Title)

Project Manager, EMCS  
(Title)

Jimmy Cavanaugh 10/26/07  
(Signature) (Date)

Colleen Harris 4/30/07  
(Signature) (Date)

Project Manager  
(Title)

Planning Supervisor  
(Title)

Michael Berg 10/26/07  
(Signature) (Date)

[Signature] (Date)

Region,  Aeronautics,  
 Transit, Local Roads, Rails & Harbors

Region,  Aeronautics,  
 Transit, Local Roads, Rails & Harbors

[Signature] 11/6/07  
(Director, Bureau of Equity & Environmental Services) (Date)

[Signature] 6/5/07  
(Director, Bureau of Equity & Environmental Services) (Date)

Johnny M. Gerbitz 11/14/08  
(FHWA,  FAA,  FTA,  FRA) (Date)

Johnny M. Gerbitz 6/14/07  
(FHWA,  FAA,  FTA,  FRA) (Date)

1. Description of Proposed Action (Attach project location map and other appropriate graphics).

The WIS 29 Right of Way Preservation plan identifies and officially map the right of way necessary for future conversion of WIS 29 from expressway to freeway standards. The proposed action officially mapping right-of-way needed to convert WIS 29 to freeway standards is a long-term, proactive planning initiative preserving future highway right of way and discouraging development from occurring on these lands. This action is in accordance with State Statute 84.295 which authorizes the segment designations of the state trunk highway system as either freeways or expressways.

This plan addresses a segment of WIS 29 that is 7.1 miles long beginning 1.2 miles west of WIS 32 and ending 0.9 miles west of County J (see Attachment 1-project limits). Recommended interchange locations include: WIS 29 and WIS 32 (existing interchange); WIS 29 and County VV; and WIS 29 and County FF. Recommended overpasses include County U and North Pine Tree Road (extended north from Sunlite Drive to Milltown Road). The plan also calls for removing access to WIS 29 at Sunlite Drive/Forest Road and at Woodland Road/Greenfield Avenue. No private entrances to WIS 29 exist within this segment of roadway. Relocating local roads to connect into the reconstructed cross roads along WIS 29 is also recommended. These local roads include: Old Hwy 29 Road at County U; Triangle Road at County VV; Milltown Road at Marley Street; and Golden Pond Park Court at County FF. The plan recommends removing access to Sherwood Street from Catherine Drive. See Attachment 3 for plan illustrations of these future roadway alterations.

APPENDIX 12  
Public Comments Received during  
Public Hearing Comment Period

Comment Number	Public Hearing and Environmental Document Comments and Responses	Number of Occurrences
1	<p><b>Why is the County U overpass not being constructed?</b></p> <p><i>Funding for the County U overpass was not part of the application for the BUILD Grant and therefore is not part of the current project proposal. An overpass of WIS 29 at County U could remain a viable option in the future if funding is secured for an overpass. Area access to and from WIS 29 would be provided at County VV and via proposed modifications to other local roadways (see Page 17 for additional details).</i></p>	7
2	<p><b>With the closing of County U additional traffic will now use Marley Street.</b></p> <p><i>It is understood that additional traffic may use Marley Street. The Village of Howard, Town of Pittsfield, and Brown County are applying for a grant to update Marley Street to a County Roadway. It is anticipated that the proposed roadway typical section for updating Marley Street from Millwood Court to County C would be an urban section with pedestrian accommodations.</i></p>	5
3	<p><b>Why are stormwater ponds being proposed and why are they located in their current position?</b></p> <p><i>Stormwater ponds are being proposed to regulate stormwater runoff, however, other treatment options were considered including swales. Ponds are the preferred alternative as they minimize environmental impacts from the project. The location of ponds took into consideration the existing drainage patterns, changes in storm water due to the proposed improvements, and overall elevations of the proposed drainage basins. In addition, locating a pond in existing drainage ditches would increase environmental impacts, including wetland impacts. Evaluation of all these considerations guided where the proposed ponds were located.</i></p>	3
4	<p><b>How will existing drainage be impacted by the project? Flooding occurs along Marley Street and Milltown Road.</b></p> <p><i>The proposed project will not have an impact to the existing drainage issues along Marley Street. The project is not intended to solve local drainage issues outside of the project area on the north part of Marley Street. The new roadway drainage and storm sewer is designed to handle the stormwater of the proposed project. These drainage comments will be shared with local officials for consideration.</i></p>	2

5	<p><b>How was the location of access to existing businesses determined?</b></p> <p><i>The design team worked with local officials on the access locations within the project area to remain consistent with local land use, transportation, and economic development planning efforts.</i></p>	2
6	<p><b>How was the location of Evergreen Avenue and associated roundabout with Marley Street determined?</b></p> <p><i>Alternatives were presented during numerous stakeholder and public involvement meetings that considered environmental impacts and restrictions, local land use, transportation, and economic development planning efforts, while also meeting current design standards. (See Page 16 for additional details under "Roadway Refinements")</i></p>	1
7	<p><b>How will the headwaters for Trout Creek be protected?</b></p> <p><i>Two stormwater detention ponds will be constructed as part of the project to help with removal of total suspended solids and help with peak flow impacts for water flowing to Trout Creek. The water that exits each stormwater pond will be thermally treated to regulate water temperature. Best management practices will be installed during construction for erosion control. Erosion control best management practices follow design guidance provided in the Wisconsin Department of Transportation Facilities Development Manual (FDM) Chapter 10-10. Chapter 10-10 can be found at the following location - <a href="https://wisconsindot.gov/rdwy/fdm/fd-10-10.pdf#fd10-10">https://wisconsindot.gov/rdwy/fdm/fd-10-10.pdf#fd10-10</a>.</i></p>	1
8	<p><b>Can tribal signage be installed with the new proposed interchange?</b></p> <p><i>Signing of the new interchange is under review by WisDOT. Signage to be consistent with state and federal guidelines.</i></p>	1