

National Environmental Policy Act Statement

The National Environmental Policy Act of 1969, as amended (42 United States Code [USC] 4332), requires that all federal agencies prepare a detailed Environmental Impact Statement (EIS) for major federal actions that will significantly affect the quality of the human environment. The Federal Highway Administration (FHWA) is, therefore, required to prepare an EIS for proposals funded under its authority if such proposals are determined to be major actions significantly affecting the quality of the human environment.

In June 2021, FHWA issued a Notice of Intent to prepare a Supplemental EIS for the Interstate 94 (I-94) East-West Corridor project. Per 23 *Code of Federal Regulations* (CFR) 771.130, a draft or final EIS may be supplemented at any time if changes to the proposed action would result in significant environmental impacts not evaluated in the EIS, or new information or circumstances relevant to environmental concerns and bearing on the proposed action or its impacts would result in significant environmental impacts not evaluated in the EIS. The Supplemental EIS follows the same process and format as the original EIS (i.e., draft, final, record of decision [ROD]), except that scoping is not required. Per 40 CFR 1506.13, the Supplemental EIS follows Council on Environmental Quality regulations in effect prior to September 14, 2020.

The Supplemental EIS process was carried out in two stages. The Supplemental Draft EIS was circulated for review by federal, state, and local agencies with jurisdiction by law or special expertise, and made available to the public in November 2022. Per 23 CFR 771.123(k), the U.S. Environmental Protection Agency (USEPA) published a Notice of Availability for the Supplemental Draft EIS in the *Federal Register* on November 18, 2022, and provided a 60-day comment period to end on January 17, 2023. During the comment period, a 2-week extension was requested. On January 3, 2023, an Amended Notice of Availability for the project was published in the *Federal Register*, noting an extension of the comment period to January 31, 2023. The Wisconsin Department of Transportation (WisDOT) and FHWA held public hearings on December 12 and 14, 2022. After the Supplemental Draft EIS comment period elapsed, work began on the Supplemental Final EIS.

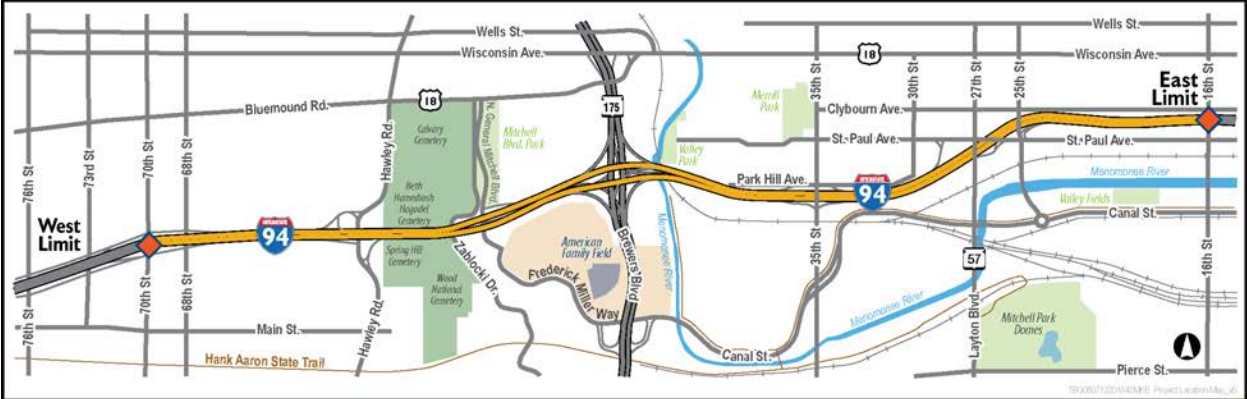
The Supplemental Final EIS includes the following:

1. Selection of the preferred course of action (alternative) and the basis for its selection
2. Basic content of the Supplemental Draft EIS, along with any changes, updated information, or additional information as a result of agency and public review; these changes are indicated by gray highlighting throughout this Supplemental Final EIS.
3. Summary and disposition of substantive comments on social, economic, environmental, and engineering aspects resulting from the public hearing/public comment period and agency comments on the Supplemental Draft EIS
4. Resolution of environmental issues and documentation of compliance with applicable environmental laws and related requirements

FHWA is issuing a single Supplemental Final EIS and ROD as one combined document pursuant to 23 USC 139(n)(2). Both the Supplemental Draft and Supplemental Final EIS are full-disclosure documents that provide descriptions of the proposed action, the affected environment, alternatives considered, and an analysis of the expected beneficial or adverse environmental effects.



A federal agency may publish a notice in the *Federal Register*, pursuant to 23 USC §139(l), indicating that one or more federal agencies have taken final action on permits, licenses, or approvals for a transportation project. If such notice is published, claims seeking judicial review of those federal agency actions will be barred unless such claims are filed within 150 days after the date of publication of the notice, or within such shorter time period as is specified in the federal laws pursuant to which judicial review of the federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the federal laws governing such claims will apply.



U.S. Department of Transportation
Federal Highway
Administration

Exhibit S-1
Project Location Map



Record of Decision

Decision

The Wisconsin Department of Transportation (WisDOT) and Federal Highway Administration (FHWA) have identified the Selected Alternative to reconstruct the Interstate 94 (I-94) East-West Corridor between 70th Street and 16th Street in Milwaukee County, Wisconsin (**Exhibit 1-1**). **The Selected Alternative, the 8-lane alternative with diverging diamond interchange at the Stadium Interchange, was identified as the Preferred Alternative in the Supplemental Environmental Impact Statement (EIS).** This Record of Decision (ROD) was prepared in accordance with 23 *Code of Federal Regulations* (CFR) 771.124 and 40 CFR 1505.2.¹

Proposed improvements include rebuilding the I-94 freeway mainline, bridges, and interchanges and reconstructing local streets affected by the freeway reconstruction. As part of the Selected Alternative, WisDOT would construct some off-interstate improvements to mitigate the traffic impacts of partially closing the Hawley Road interchange. The proposed improvements strive to avoid and minimize impacts to the natural, cultural, and built environment to the greatest extent feasible and practicable.

The I-94 East-West Corridor is one of the busiest routes in southeastern Wisconsin. It serves as a vital link to Milwaukee, the western suburbs of Milwaukee, and Madison, and is also part of a major east-west interstate route serving national, regional, and local traffic for trips within and through the study area. The following six interchanges are in the I-94 East-West Corridor:

- Service interchanges along I-94:
 - 68th Street/70th Street
 - Hawley Road
 - General Mitchell Boulevard
 - 35th Street
 - 25th/26th/28th Street
- System interchange:
 - Stadium Interchange (I-94/WIS 175/Brewers Boulevard)

At each interchange, the project limits extend north-south until each crossroad ties into the existing alignment. The termini for the study generally match the termini for two previously completed studies of the southeastern Wisconsin freeway system: the Zoo Interchange study west of the I-94 East-West Corridor, and the Marquette Interchange study to the east. Construction is complete for both of these projects.

Section 1 of the Supplemental EIS describes why the project is needed. The purpose of the I-94 East-West Corridor project is to address the deteriorated condition of I-94, obsolete roadway and bridge design, existing and future traffic demand, and high crash rates. The need for the project is based on a combination of factors, including the following:

¹ Effective September 14, 2020, the Council on Environmental Quality issued an “Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act,” including 40 CFR 1505. All references to 40 CFR 1505 in this ROD follow the regulations prior to the 2020 update.



- Regional land use and transportation planning
- System linkage and route importance
- High crash rates
- Existing freeway condition and deficiencies
- Existing and future traffic volumes

The underlying physical condition of I-94 is declining, and the condition of bridges has deteriorated over the years from age, heavier-than-expected traffic, road salt, and freeze-thaw cycles. There are also functional deficiencies, such as inadequate ramp spacing, closely spaced service interchanges, and a combination of left-hand and right-hand entrance and exit ramps. There are numerous design deficiencies over the length of the I-94 East-West Corridor, and they are not concentrated in one area. Many of the design deficiencies are related to the interchanges, but there are also deficiencies between the interchanges where there are issues such as lane and shoulder width and steep grades.

Most crash rates in the I-94 East-West Corridor are one to two times the statewide average, and several sections are two to three times the statewide average, with one section that is more than three times the statewide average. As traffic increases, safety and traffic operations on this corridor will continue to deteriorate. By 2050 under the No-build alternative, increased traffic volumes will generally cause eastbound I-94 in the study area to operate at level of service E or F during the morning and afternoon peak periods, while westbound I-94 will generally operate at level of service F during the morning and afternoon peak periods. Peak period travel times from 70th Street to 16th Street for the No-build alternative in 2050 range from 5 to 21 minutes compared to about 5 minutes for the Selected Alternative. The congestion under the No-build alternative would extend beyond the project limits during the peak periods, meaning that the maximum travel times under the No-build alternative would most likely be longer than what was modeled.

WisDOT and FHWA identified the 8-lane alternative with diverging diamond interchange at the Stadium Interchange as the Selected Alternative based on evaluation and consideration of the following:

- How the alternative would address the project purpose and need
- All comments received during the public involvement process, including comments on the Supplemental Draft EIS (approved November 2022), input received as a result of the December 2022 public hearings, comments from state and federal agency reviews, and comments on the Fall 2023 project newsletter that focused on the greenhouse gas (GHG) analysis
- Environmental and engineering factors
- Cost

The 8-lane alternative with diverging diamond interchange at the Stadium Interchange is described as follows and in Section 2 of the Supplemental EIS. The remainder of this document describes the alternatives considered, the rationale for the Selected Alternative, and the mitigation measures that will be implemented.

Alternatives Considered

Section 2 of the Supplemental EIS describes the refined range of alternatives WisDOT and FHWA developed since the 2016 Final EIS and the extent to which these alternatives address the project's purpose and need factors. The No-build alternative and range of 8- and 6-lane build alternatives presented in the Supplemental EIS are summarized as follows. Section 2 of the Supplemental EIS contains detailed information.

No-build Alternative

The No-build alternative does not include any pavement replacement, safety, or capacity improvements. Only maintenance and minor improvements would be performed. The No-build alternative is not a feasible course of action because it would not address the project's purpose and need. This alternative serves as a baseline for comparison to the build alternatives.

Mainline I-94 Alternatives

6-Lane Alternative

The 6-lane alternative would replace the existing roadway and bridges and reconfigure I-94 to address the safety issues and functional deficiencies. The 6-lane alternative would not add additional capacity. Two options for the Hawley Road interchange were considered: a half interchange and a full interchange. Two options for the Stadium Interchange were also considered as part of the 6-lane alternative, as described in the following section, Stadium Interchange Options.

The 6-lane alternative would meet the purpose and need elements of replacing the deteriorating pavement and bridges on I-94 and addressing safety concerns. It would partially meet the need elements of upgrading I-94 to current nationally accepted design criteria and maintaining a key link in the transportation network. The 6-lane alternative would not meet the project's purpose and need to accommodate existing and future traffic volumes at an acceptable level of service in the design year 2050. Most areas would operate at level of service E or F during morning and afternoon peak periods.

8-Lane Alternative

The 8-lane alternative would replace the existing roadway and bridges and reconfigure I-94 to address the safety issues and functional deficiencies. The 8-lane alternative would add one new lane in each direction to address traffic operations. WisDOT and FHWA considered two options for the Stadium Interchange as part of the 8-lane alternative, as described in the following section.

WisDOT and FHWA identified the 8-lane alternative as part of the Selected Alternative (Exhibits 2-1 and 2-2).

Stadium Interchange Options

At the Stadium Interchange, WisDOT and FHWA analyzed a hybrid interchange (a hybrid between a system interchange and service interchange) and a diverging diamond interchange for both the 6-lane and 8-lane alternatives.

Hybrid Interchange

For the hybrid interchange, all the exit ramps from I-94 to WIS 175/Brewers Boulevard would be free-flow ramps (no traffic signals). A traffic signal on WIS 175/Brewers Boulevard would control through traffic on WIS 175/Brewers Boulevard and left turns onto I-94.

Diverging Diamond Interchange

For the diverging diamond interchange, northbound and southbound WIS 175/Brewers Boulevard traffic would cross to the opposite side of the roadway at two signalized intersections north and south of I-94. Traffic on WIS 175/Brewers Boulevard would drive on the left side of the roadway, the opposite of what is customary, through the interchange. This allows for left turns entering I-94 to occur without stopping



or crossing oncoming traffic. **WisDOT and FHWA identified the diverging diamond interchange as part of the Selected Alternative (Exhibit 2-5).**

Reasons for Identifying the Selected Alternative

After carefully evaluating project purpose and need, cost, engineering factors, impacts to the human/natural environment, compliance with federal and state laws, and public and agency comments received throughout the National Environmental Policy Act (NEPA) process and in direct response to the Supplemental Draft EIS, **WisDOT and FHWA identified the 8-lane alternative with diverging diamond interchange at the Stadium Interchange as the Selected Alternative.** The Selected Alternative provides a balance of sound engineering design, addresses long-term mobility needs and safety concerns, and minimizes impacts to the existing built environment and natural resources to the maximum extent practicable.

The basis for identifying this alternative as the Selected Alternative is as follows:

- **Addresses existing and future traffic demand**
 - Under the 8-lane alternative in 2050, I-94 would generally operate at level of service C or D during the morning (5:30 a.m. to 9:30 a.m.) and afternoon (1:30 p.m. to 6:30 p.m.) peak periods in both directions with speeds generally not dropping below an average of 40 miles per hour (mph) in the most congested areas. However, by the year 2050, congestion would occur in some areas (refer to **Table 2-4** in Section 2 of the Supplemental Final EIS and **Exhibits 2-19, 2-20, 2-21, and 2-22**). For both 6-lane alternatives, I-94 would generally operate at level of service E or F for most of the corridor in the morning and afternoon peak periods in both directions. Level of service E or F would occur immediately following construction, and congestion would continue to worsen by 2050. With the 6-lane alternative, by 2050 congestion would generally impact I-94 traffic operations for 3 to 4 hours of each weekday peak period with speeds dropping to less than 20 mph in certain areas.
 - Travel times for the 8-lane alternative are generally consistent in both directions during the morning and afternoon peak periods; it would take approximately 5 minutes to travel from 70th Street to 16th Street (this time ranges from about 5 to 14 minutes for the 6-lane alternatives depending on the direction and time of day). This is indicative of less congestion and more operational consistency along I-94 for the 8-lane alternative.
 - The 8-lane alternative would address the operational issues observed for the 6-lane alternatives by providing additional capacity. The increased capacity improves corridor reliability, making the corridor less sensitive to excessive delays from disruptions in traffic flow such as weather or minor incidents.
 - Based on Southeastern Wisconsin Regional Planning Commission (SEWRPC) traffic forecasts, in the year 2050, 12,000 to 16,000 more vehicles would use I-94 on a weekday with the 8-lane alternative than with the 6-lane alternatives. This additional traffic on I-94 would come from a combination of vehicles currently using the local road system instead of I-94 because of congestion and safety concerns or vehicles currently using other interstates (I-41, I-43, or I-894) who would now use I-94 because of improved travel time and safety.

Additional traffic volume due to induced demand² is not anticipated in the I-94 East-West Corridor. WisDOT developed a technical memorandum titled *I-94 East-West SEIS Induced and Latent Demand* to address comments related to induced demand. This technical memorandum is included in the Supplemental Final EIS supporting documentation, Volume 3 – Future Traffic Analysis. The analysis concluded that, for other recent freeway reconstruction projects in Milwaukee County, no mainline freeways exhibited a significant increase in traffic volume post-construction, beyond what was forecasted. This indicates that induced demand did not occur. Additionally, adjacent roadways generally had a reduction in traffic volumes that matched the increases on the freeway mainlines. This is consistent with latent demand³ behavior that shows that the increase of mainline traffic trips is not necessarily new trips, but trips that were previously using adjacent roadways. Section 6.4.3, Question #24, of the Supplemental Final EIS provides additional discussion noting how induced demand is not a significant factor for Milwaukee-area freeway projects.

- Both the diverging diamond interchange and hybrid interchange operate acceptably (a threshold of level of service D or better) in the 2050 peak period for all interchange movements. The queues on the exit ramps for both Stadium Interchange options would not back up onto I-94 during typical conditions or on Milwaukee Brewers game days, thus not impacting I-94 traffic.
- **Addresses safety**
 - The 8-lane alternative reduces crashes on I-94 compared to existing conditions largely because of upgrading I-94 to current design standards in most locations, removing the left-hand ramps at General Mitchell Boulevard and the Stadium Interchange, and improving ramp spacing.
 - Along mainline I-94 (not including ramps and intersections), the 8-lane alternative would reduce crashes by 21 percent (with diverging diamond Stadium Interchange) compared with the No-build alternative.
 - The 8-lane alternative reduces congestion on I-94 compared to existing conditions and the 6-lane alternatives. Research suggests that high traffic densities are associated with high crash rates (Transportation Research Board 2014). Because the 8-lane alternative has higher traffic volumes than the 6-lane alternatives, the 8-lane alternative is predicted to have the lowest crash rate (crashes per vehicle miles traveled) of all the alternatives.
 - While the diverging diamond interchange downgrades the current system (free-flow) interchange at the Stadium Interchange by introducing more vehicle conflict points through added intersections, it is responsive to the needs and requests of the community, remains safe, and is suitable for its intended use of moving traffic in a constrained urban corridor.
- **Impacts**
 - The 8-lane alternative requires 54 acres of new right-of-way. This is less than the 2016 Final EIS preferred alternative, which required 73 acres of new right-of-way. The right-of-way decreased

² Induced demand is traffic that does not already exist within the region as a vehicle trip. Users do not make a trip because travel time along any route is greater than an acceptable threshold for the user. Induced demand traffic is created when the reduction in travel time of a roadway (in this case, I-94) drops below the desired threshold and a user decides to make that trip.

³ Latent demand is traffic that exists within the project area that desires to use the freeway (I-94) but does not due to delays on the roadway. Latent demand traffic chooses to use an alternative route with equal or shorter travel times relative to the freeway. Once travel time using the desired corridors is less than that of the current route, latent demand traffic will shift to the desired roadway, in this case, I-94.



because of (1) design revisions that kept Hawley Road and Washington Street on their existing alignments; (2) reduction of residential and commercial relocations; (3) relocation of an electrical substation within existing right-of-way; and (4) no temporary limited easements included in the new right-of-way required.

- All build alternatives have similar impacts, including the same number of residential (1) and business (6) relocations. The number of residential and business displacements were reduced from 8 and 11, respectively, from the 2016 Final EIS preferred alternative based on design refinements. Design refinements were made to reduce displacements along the 68th Street eastbound entrance ramp, along the I-94 mainline near the cemetery, and on 35th Street north of I-94.
 - Three of the residential relocations identified in the 2016 Final EIS were along 35th Street in an area with a high minority and low-income population. As part of the refined build alternatives studied in the Supplemental EIS, these residences will no longer be relocated.
 - In the 2016 Final EIS, four of the potential business displacements for the preferred alternative were minority-owned. As part of the refined build alternatives studied in the Supplemental EIS, these minority-owned businesses will no longer be relocated. In addition, the Concentra Urgent Care on 35th Street, just north of I-94, will no longer be relocated.
- The 8-lane alternative complies with the Endangered Species Act of 1973, Section 404 (b)(1) of the Clean Water Act, Sections 106 and 110(f) of the National Historic Preservation Act as amended, and the United States Department of Transportation’s (USDOT’s) Section 4(f) law.
 - The 8-lane alternative has no adverse effect on historic properties.
 - The 8-lane alternative has no more than *de minimis* impact to Section 4(f) properties.
- **Cost**
 - The 8-lane alternative with diverging diamond interchange at the Stadium Interchange would cost approximately \$1.47 billion (in 2023 dollars). This is approximately 3 to 6 percent greater than the 6-lane alternatives.⁴ The 8-lane alternative with diverging diamond interchange at the Stadium Interchange would cost approximately \$1.74 billion in year-of-expenditure (YOE)⁵ dollars.
 - For the Stadium Interchange, the cost of the diverging diamond interchange is approximately \$70 million to \$90 million less than the hybrid interchange.
- **Stadium Interchange considerations**
 - The diverging diamond interchange has a smaller overall footprint than the hybrid interchange but will require an additional 5 acres of new right-of-way because the shift of the Stadium Interchange to the east will require additional land from the American Family Field property.

⁴ As discussed in Section 2.4.2.1 of the Supplemental Final EIS, the costs of the 6-lane alternatives were not updated to 2023 dollars following the cost and schedule risk assessment (CSRA). The CSRA conducted by FHWA focused on the preferred alternative identified in the 2022 Supplemental Draft EIS (8-lane alternative with diverging diamond interchange at the Stadium Interchange). Because the 6-lane alternative was similar to the 8-lane alternative (just one less lane in each direction), the risk is similar between the 8-lane and 6-lane alternatives. It is assumed that the inflationary costs for the 6-lane alternatives would be the same as for the 8-lane alternative. Therefore, it is projected that the 8-lane alternative would likely cost approximately 3 to 6 percent more than the 6-lane alternatives.

⁵ YOE is the total project cost, including inflation, assuming that construction will take place during a given period of time in the future. For this project, construction is expected to take place in late 2025 through 2031.

- The height of the diverging diamond interchange will be comparable to the existing Stadium Interchange and approximately 25 feet lower than the hybrid interchange.
 - The diverging diamond interchange maintains more direct access to General Mitchell Boulevard and Wisconsin Avenue.
 - The diverging diamond interchange can be constructed in 3 years, versus 4 years for the hybrid interchange.
 - The diverging diamond interchange does not preclude the consideration of non-freeway alternatives as part of the ongoing WIS 175 planning studies being conducted by WisDOT, the City of Milwaukee, and Milwaukee County.
- **Local government and public input**
 - Public input received as part of the Supplemental Draft EIS comment period and testimony at the project’s public hearings, at the public involvement meetings (PIMs), and throughout the NEPA process was mixed regarding the alternatives. There was opposition to expanding I-94, but a slight majority of the public supported the 8-lane alternative based on the sentiment of comments received throughout the public involvement process.
 - The diverging diamond interchange is responsive to public input to downgrade the existing Stadium Interchange. Public input received at the June 2022 PIMs supported the diverging diamond interchange.
 - Bicycle and pedestrian improvements have been added to the design in response to public input to improve bicycle/pedestrian connectivity.
 - Public input received throughout the Supplemental EIS process encouraged more transit in the study area. The 30% Transportation Management Plan Report identifies ways that transit can be used to mitigate the construction delays for all users in the corridor and identifies transit infrastructure improvements that could remain post-construction for potential, future transit service improvements. WisDOT has identified spending \$25 to \$30 million on transit for operational (additional bus runs to maintain headways) and infrastructure (signals, bus stops, and lane modifications) costs for construction traffic mitigation.

Description of the Selected Alternative

The Selected Alternative adds a fourth through travel lane in each direction along I-94 between 70th Street and 16th Street (**Exhibits 2-1 and 2-2**). These project limits match the previously reconstructed Zoo Interchange on the west and reconstructed Marquette Interchange on the east. In some areas along I-94, there will be auxiliary lanes, resulting in more than four lanes (refer to Section 2 and **Exhibits 2-1 and 2-2** of the Supplemental Final EIS). Auxiliary lanes will be between the following:

- 68th Street and Hawley Road interchanges, both eastbound and westbound
- 35th Street and 26th Street eastbound
- 28th Street and 35th Street westbound

The Selected Alternative will generally have 12-foot travel lanes and 12-foot inside and outside shoulders, except for the narrow area between Hawley Road and General Mitchell Boulevard, where cemeteries are on both sides of I-94 (**Figure 1**).

WisDOT will implement countermeasures to mitigate for the narrow lanes and/or shoulders, such as dynamic traffic management tools to warn drivers of closed lanes in the narrow segment, advance warning signs alerting drivers to the narrow lanes and/or shoulders, and other tools such as reflectors on the center median barrier and the outside barrier.

Transportation systems management (TSM) measures such as ramp meters, traffic detectors, variable message signs, freeway monitoring/advisory information, freeway service patrols, and incident management are already in place along or near the I-94 East-West Corridor. Transportation demand management (TDM) measures that are currently in use include park-and-ride lots and rideshare to encourage multioccupancy vehicle travel. Along with these TSM and TDM measures already in place along the I-94 East-West Corridor, appropriate additional TSM and TDM measures will be considered as part of the Selected Alternative, to be determined during final design. In August 2023, WisDOT began meeting with project stakeholders, including local residents and community organizations, as part of the traffic systems management and operations (TSMO) process. TSMO is a set of strategies to evaluate transportation system performance in order to make the various transportation modes and facilities work together and ultimately perform better.

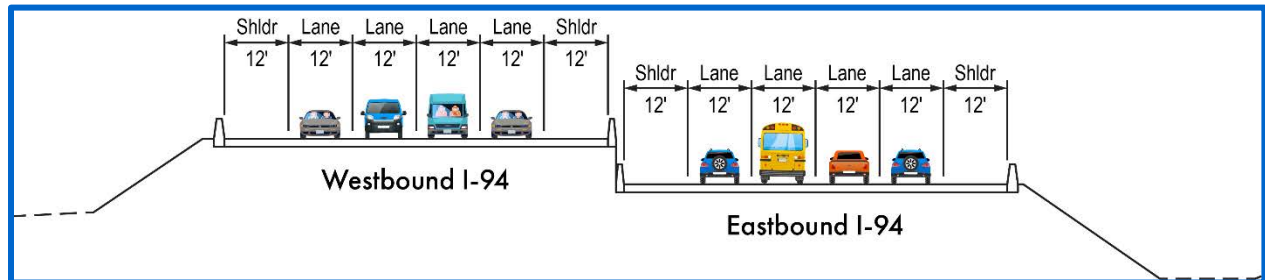
Design Refinements to the Preferred Alternative following the Supplemental Draft EIS

- The cul-de-sac on 69th Street north of I-94 was removed. 69th Street will tie into O'Connor Street consistent with the tie-in on the south side of I-94.
- The Stadium Interchange was shifted slightly east, which moves WIS 175 between 50 feet east at the north end of the Stadium Interchange and 135 feet east just south of I-94. 44th Street was also shifted slightly east to accommodate the shift to WIS 175.
- The northern limit of the project along WIS 175 was revised to stop just south of Bluemound Road. This eliminates the need to reconstruct the Bluemound Road bridge and Wisconsin Avenue northbound exit ramp, which are not required for the diverging diamond interchange.
- Selig Drive was reconfigured to travel under Brewers Boulevard and connect into 44th Street farther north than it previously did. This allows Brewers Boulevard to be at a lower elevation south of I-94, reducing the amount of fill needed and resulting in a shorter bridge carrying Brewers Boulevard over Selig Drive. A new pedestrian bridge will be constructed over Brewers Boulevard to replace the existing pedestrian access along existing Selig Drive. This reconfiguration of Selig Drive reduces the project construction cost.
- The curve along I-94 between 35th and 27th Streets was flattened to improve the alignment and increase the distance of the roadway from the Greves Street substation.
- The I-94 westbound braided ramps (35th Street westbound entrance ramp with WIS 175 westbound exit ramp) were moved slightly farther away from Valley Park (5 to 10 feet).
- The I-94 eastbound braided ramps (35th Street eastbound exit ramp with WIS 175 eastbound entrance ramp) were reconfigured slightly to avoid an existing cell tower and billboard.
- The south limits of the 27th Street viaduct were redesigned to stop north of Greves Street (shortened by more than 300 feet) to avoid crossing the railroad, which reduces cost and construction schedule risk.

Refer to Section 2.1.3 and **Exhibits 2-1 and 2-2** of the Supplemental Final EIS for more detail.

The public transit recommendations in SEWRPC's Fiscally Constrained Transportation System (FCTS) are considered as part of the I-94 East-West Corridor project to ensure that the Selected Alternative will not preclude planned transit improvements and will allow implementation of regional transportation plan recommendations that benefit public transit that are within the scope of this project. Section 2.5.1.1 of the Supplemental Final EIS outlines the transit elements of SEWRPC's FCTS.

Figure 1. Cross Section of Selected Alternative with 12-foot Lanes and Shoulders

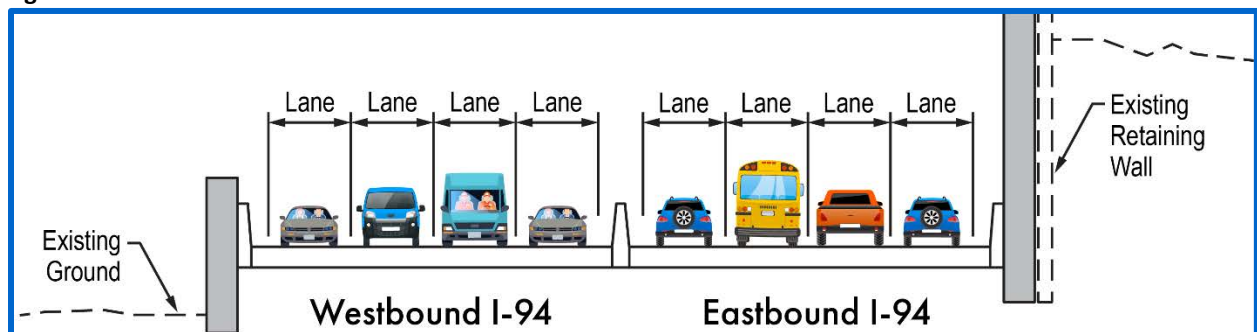


Cemetery Area

To avoid a direct impact on the cemeteries adjacent to I-94 (Beth Hamedrosh Hagodel Cemetery, Spring Hill Cemetery, and Wood National Cemetery), the Selected Alternative uses narrow lanes (reduced from 12 feet to 11 feet at the narrowest) and shoulders (reduced from 12 feet to 2 feet at the narrowest) through this area.

At its narrowest point, roughly 110 feet would be available for the construction of I-94 between the cemeteries. I-94 would have less than 12-foot driving lanes (11-foot lanes at the narrowest) and narrow shoulders between Hawley Road and General Mitchell Boulevard to avoid encroachment on the adjacent cemeteries (**Figure 2**). For eastbound traffic, there would be less than 12-foot lanes for about 1,610 feet, less than 12-foot inside shoulders for 1,460 feet, and less than 12-foot outside shoulders for 1,390 feet. For westbound traffic, there would be less than 12-foot lanes for about 1,500 feet, less than 12-foot inside shoulders for 1,480 feet, and less than 12-foot outside shoulders for 1,075 feet. Lane widths would be as narrow as 11 feet for roughly 30 feet in each direction. **Exhibit 2-7** in the Supplemental EIS provides a summary of the distances described in this section.

Figure 2. Cross Section of Selected Alternative between Cemeteries



The interchanges at 68th/70th Street, 35th Street, and near 27th Street would be reconstructed in a similar configuration to their existing condition.

The Hawley Road interchange would be reconstructed as a half interchange. To avoid impacts to the cemeteries, there would be no westbound exit ramp or eastbound entrance ramp as part of the half interchange at Hawley Road. In the 2016 Final EIS, FHWA gave preliminary approval for the half interchange at Hawley Road because of the constraint posed by the cemeteries east of Hawley Road

combined with public and local government input that removing the entire Hawley Road interchange would negatively impact businesses and residents that currently use the interchange. Prior to the approval of the Supplemental Final EIS, FHWA reaffirmed the preliminary approval for the half interchange at Hawley Road. Final approval is anticipated after the ROD.

To mitigate the traffic impacts of partially closing the Hawley Road interchange, the Selected Alternative includes extending Washington Street between 70th Street and Hawley Road and improving the 70th Street/Greenfield Avenue, National Avenue/Greenfield Avenue, and Brewers Boulevard/National Avenue intersections.

Existing Washington Street is about 0.5 mile south of I-94 and currently intersects with 70th Street on the west and dead ends a few blocks to the east. An extended Washington Street would provide a connection between 70th Street and Hawley Road/60th Street. Connecting 70th Street to Hawley Road/60th Street via Washington Street would provide convenient access to and from Hawley Road from the 68th Street/70th Street interchange for traffic that would no longer be able to enter I-94 eastbound or exit I-94 westbound at Hawley Road.

Three local roadway intersections have been identified for upgrades to improve local road operations under the partial closure of the Hawley Road interchange. Each of the intersections would have a modest increase in traffic volumes as a result of the access change at Hawley Road.

At the 70th Street/Greenfield Avenue intersection, WisDOT would restripe the existing lane configuration to extend the southbound left-turn lane and improve the traffic signals to improve traffic operations. At the National Avenue/Greenfield Avenue intersection, WisDOT would restripe the existing lane configuration and improve the traffic signals. No construction would take place at these intersections.

At the Brewers Boulevard/National Avenue intersection, WisDOT would restripe traffic lanes and improve traffic signals. A second left-turn lane would be added to northbound Brewers Boulevard. Along National Avenue, west of Brewers Boulevard, the second westbound through lane would be extended by 500 feet to a spot between 45th and 46th Streets. In addition, a right-turn lane would be provided from westbound National Avenue to the United States Department of Veterans Affairs (VA) Campus entrance at General Mitchell Boulevard/47th Street. This was requested by the VA to improve access to the campus and would improve traffic operations along National Avenue. As part of the improvement, approximately 0.6 acre from the VA Campus, including 0.2 acre of the Soldiers' Home National Historic Landmark (NHL), would be required for transportation right-of-way. Through the Section 106 consultation, it was determined that there is No Adverse Effect to the Soldiers' Home NHL (refer to Section 3.24 of the Supplemental Final EIS for more information). Additionally, the impacts to the Soldiers' Home NHL property would be considered *de minimis* under Section 4(f). Section 4 of the Supplemental EIS documents the Section 4(f) evaluation and impacts.

Stadium Interchange

The Selected Alternative would have a diverging diamond interchange at the Stadium Interchange (**Figure 3**). For the diverging diamond interchange, northbound and southbound WIS 175/Brewers Boulevard traffic would cross to the opposite side of the roadway at two signalized intersections north and south of I-94. Traffic on WIS 175/Brewers Boulevard would drive on the left side of the roadway through the interchange, the opposite of what is customary. This allows for left turns entering I-94 to occur without stopping or crossing oncoming traffic.

The diverging diamond interchange would be a two-level service interchange (not counting the local streets at the lowest level) approximately the same height as the existing interchange.

There would continue to be access from northbound Brewers Boulevard to the Wisconsin Avenue interchange on WIS 175. Those exiting I-94 to WIS 175 would continue to be able to exit at Wisconsin Avenue. Additionally, those entering WIS 175 southbound from Wisconsin Avenue would continue to be able to access I-94 in both directions and travel south along WIS 175/Brewers Boulevard. There would be no direct access from WIS 175 or Brewers Boulevard to the 35th Street interchange via I-94. Traffic on WIS 175/Brewers Boulevard would access 35th Street from Wisconsin Avenue north of I-94 or National Avenue south of I-94. Access to the 35th Street interchange would continue to be provided for motorists on I-94.

Figure 3. Proposed Reconfiguration of the Stadium Interchange (diverging diamond interchange)

Looking at Stadium Interchange from the northeast



Access to General Mitchell Boulevard would change based on the need to avoid impacting the cemeteries, to improve the short and unsafe merge distances entering and exiting I-94, and to remove the left-hand entrances and exits (**Exhibit 2-9**). The diverging diamond interchange ramps to and from I-94 would connect directly to General Mitchell Boulevard. All entrance and exit ramps are on the right-hand side of traffic. Traffic entering I-94 westbound would connect to the ramp from General Mitchell Boulevard south of I-94 and follow the hook ramp to enter I-94. Traffic entering I-94 eastbound would enter the same ramp from General Mitchell Boulevard south of I-94 and travel over WIS 175 and enter the freeway just west of 35th Street. Traffic on I-94 eastbound wishing to access General Mitchell Boulevard would exit I-94 and use the hook ramp to connect with General Mitchell Boulevard north of I-94. Those on westbound I-94 wishing to access General Mitchell Boulevard would exit I-94 east of the Stadium Interchange and travel along a ramp that connects directly to General Mitchell Boulevard north of I-94. These connections would provide direct access to American Family Field parking, the VA Campus, and the Story Hill neighborhood without traveling through new intersections.

East of Stadium Interchange

East of the Stadium Interchange, I-94 would remain close to its current alignment and be widened to the south to allow for the additional through lane in each direction. The centerline of the reconstructed I-94 would be about 50 feet south of the existing I-94 centerline. The 35th Street and 27th Street interchanges would be reconstructed similarly to their current conditions.

East of the Stadium Interchange, north of I-94, land uses are generally residential and commercial. The area south of I-94 is part of the Menomonee Valley and is mainly industrial. Thus, a shift of I-94 to the south moves it farther away from residences.

Bicycle and Pedestrian Improvements

Several bicycle and pedestrian improvements are part of the Selected Alternative, as detailed in Section 3.3.2.5 of the Supplemental Final EIS and shown on **Exhibit 2-3**:⁶

- A connection between the Hank Aaron State Trail and the Oak Leaf Trail along 44th Street and Wells Street, traveling under I-94 east of the Stadium Interchange. Between Selig Drive and Bluemound Road, the existing path/sidewalk on the west side of 44th Street would remain, and WisDOT would construct a 10-foot shared-use path on the east side of 44th Street. North of Bluemound Road, the existing 6-foot sidewalk on the west side of 44th Street would remain, and WisDOT would add shared-lane pavement markings for bicycles along 44th Street and Wells Street.
- A new access point to the Hank Aaron State Trail at 64th Street. This paved connection would be approximately 50 feet long and provide access to the trail directly from Dickinson Street, near 64th Street. Currently, there is no Hank Aaron State Trail access between 68th and 60th Streets. Approximately three blocks to the north, 64th Street crosses under I-94 (the only street to do so between 68th and 60th Streets), making it a good location to provide access to the trail for those north of I-94.
- Contingent on future electrical facilities relocation plans in the immediate area, a connection between 32nd Street and Greves Street (north of Canal Street) may be constructed to provide better bicycle and pedestrian access to the Menomonee Valley. WisDOT would construct a 10-foot shared-use path connecting 32nd Street with Greves Street. On Greves Street, the existing 6-foot sidewalk on the north side of the road west of 25th Street would remain, and WisDOT may add a new sidewalk from 25th Street to St. Paul Avenue on the north side of Greves Street. WisDOT would also add shared-lane pavement markings for bicycles.
- A shared-use path along 25th Street for bicycles and pedestrians to connect the area north of I-94 to the Menomonee Valley. WisDOT would construct a 10-foot shared-use path on the west side of 25th Street north of St. Paul Avenue, and a 10-foot shared-use path on the east side of 25th Street south of St. Paul Avenue. Having the shared-use path on the west side of 25th Street north of St. Paul Avenue avoids conflict with I-94 ramp movements, and the path on the east side of 25th Street south of St. Paul Avenue allows the path to connect to the existing path south of the project limits. WisDOT would also add 6-foot sidewalks along 26th Street and signalized intersections at 25th/26th Streets and St. Paul Avenue, allowing pedestrians and bicyclists to safely cross these streets to access the path via crosswalks at the signalized intersections.

Additional bicycle and pedestrian improvements may be added during final design based on coordination with local jurisdictions and the public.

Environmental Impacts of the Selected Alternative

Table 1 lists the environmental impacts for the Selected Alternative, including the design refinements following the Supplemental Draft EIS approval. Additional information can be found in Section 3 of the Supplemental Final EIS.

All practicable means to avoid or minimize environmental harm from the Selected Alternative that are within the jurisdiction of FHWA and WisDOT to implement have been adopted. A monitoring and

⁶ These bicycle and pedestrian improvements would not require new right-of-way.

enforcement program will be adopted, as described in the Monitoring and Enforcement Program section of this ROD.

Table 1. Environmental Impacts Summary for Selected Alternative

Environmental Factors	Selected Alternative	Preferred Alternative, as Reported in 2022 Supplemental Draft EIS	2016 Final EIS Preferred Alternative (At grade alternative [half interchange at Hawley Road] and On alignment alternative)
Total Cost (in billions)	\$1.47 (2023 dollars) ^a \$1.74 (YOE)	\$1.20 (2021 dollars)	\$1.20 (2021 dollars) ^b
New Right-of-Way (acres) ^c	54 ^d	49	73
Residential Displacements (housing units)	1	1	8
Commercial Displacements	6	6	11
Publicly Owned Building Displacements	1 ^e	1 ^e	1 ^e
100-year Floodplain Crossings (no new crossings)	1	1	1
Floodplain (acres)	0	0	0
Stream Crossings (no new crossings)	1	1	1
Wetland (acres)	0.05	0.05	0.6
Parkland (acres)	0	0	0
Threatened and Endangered Species Impacts (Yes/No)	Yes	Yes	Yes
Primary Environmental Corridor (acres)	0	0	0
Adverse Effects to Historic Properties	0	0	0
Archaeological Sites Affected	0	0	0
Disproportionately High and Adverse Effect to EJ Populations (Yes/No)	No ^f	No ^f	No ^f
Air Quality Permit	No	No	No
Representative Noise Receptors Impacted (design year 2050)	80	80	66
Potential Contaminated Sites (sites recommended for additional field testing)	67 ^g	67 ^g	39

Environmental Factors	Selected Alternative	Preferred Alternative, as Reported in 2022 Supplemental Draft EIS	2016 Final EIS Preferred Alternative (At grade alternative [half interchange at Hawley Road] and On alignment alternative)
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^a The preferred alternative cost in the Supplemental Draft EIS was approximately \$1.2 billion (in 2021 dollars), compared to \$1.47 (in 2023 dollars) in the Supplemental Final EIS/ROD. The design refinements to the preferred alternative since the Supplemental Draft EIS, as described in Section 2.1.3 of the Supplemental Final EIS, resulted in cost savings. However, while the project scope has decreased, inflation has risen substantially and caused the overall project cost to increase.

^b The cost of the 2016 Final EIS preferred alternative was \$850 million in 2014 dollars. This cost was updated to 2021 dollars to provide a better comparison with the alternatives in the Supplemental Draft EIS. The increased cost equates to approximately a 5 percent construction inflation index increase per year over the 7 years (2014 to 2021).

^c In addition to right-of-way acquisition, easements (not included as part of the right-of-way total in this table) may be required. These are all temporary easements, and land would be retained by the landowner following completion of construction.

^d The amount of right-of-way required for the Selected Alternative increased by 5 acres from the preferred alternative in the Supplemental Draft EIS because of shifting the Stadium Interchange east, requiring additional land from the American Family Field property outside existing right-of-way. If the 6-lane alternatives were carried forward for more detailed design, they would have a similar increase in right-of-way.

^e The WisDOT Southeast Region Service Facility on 60th Street/Hawley Road would be relocated as a result of the Washington Street extension.

^f The project would have both negative and positive effects on minority and/or low-income populations, but the effects would not be disproportionately high and adverse as defined by Executive Order 12898, Executive Order 14096, United States Department of Transportation Order 5610.2C, and FHWA Order 6640.23A or other applicable laws.

^g This includes 16 sites recommended for field testing because of the Washington Street extension.

EJ = environmental justice

The Council on Environmental Quality (CEQ) regulations for implementing NEPA require that the ROD discuss “the alternative or alternatives which were considered to be environmentally preferable” (40 CFR 1505.2(b)). The environmentally preferred alternative is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historic, cultural, and natural resources. The environmentally preferred alternative does not need to be the same as the Selected Alternative. Designation of the environmentally preferred alternative typically involves judgment and balancing some environmental values against others. The public and other agencies reviewing a Draft EIS can assist the lead agency to develop and determine environmentally preferred alternatives by providing their views in comments on the Draft EIS (or Supplemental Draft EIS) (CEQ 1981, question 6).

The CEQ recognizes that identifying the environmentally preferred alternative may involve difficult judgments, particularly when one environmental value must be balanced against another. For this project, the 8- and 6-lane alternatives have comparable environmental impacts, so FHWA and WisDOT evaluated the differences in resource impacts and the ability to mitigate each.

The 8- and 6-lane alternatives would have similar, minimal impacts on the natural and built environment. The 8- and 6-lane alternatives would have the same impacts on the following resources:

- Residential displacements (1 residence)
- Commercial displacements (6 businesses)
- Floodplains (0 acres)
- Wetlands (0.05 acre)
- Parklands (0 acres)
- Primary environmental corridors (0 acres)

- Threatened and endangered species
- Historic properties (no adverse effects)
- Archaeological sites (none affected)
- Environmental justice

The amount of right-of-way required for the 8-lane alternative would be 54 acres, compared to 48 acres for the 6-lane alternative with half interchange at Hawley Road and 42 acres for the 6-lane alternative with full interchange at Hawley Road.⁷ The amount of right-of-way required for the 8-lane alternative increased by 5 acres from the Supplemental Draft EIS based on shifting the Stadium Interchange east.⁸ If the 6-lane alternatives were carried forward for more detailed design, they would have a similar increase in right-of-way.

The 8-lane alternative and 6-lane alternative with half interchange at Hawley Road would displace one publicly owned building (owned by WisDOT), whereas the 6-lane alternative with full interchange at Hawley Road would displace none. This is because of the extension of Washington Street associated with the 8-lane alternative and 6-lane alternative with half interchange at Hawley Road. Effective measures are in place to mitigate the effect of this displacement.

The 8-lane alternative would affect slightly more noise receptors than the 6-lane alternatives. Noise barriers are proposed where reasonable and feasible and are the same for all alternatives.

The 8- and 6-lane alternatives would not contribute to any violation of the National Ambient Air Quality Standards. The 8- and 6-lane alternatives meet transportation conformity requirements, and levels of neither carbon monoxide nor particulate matter with aerodynamic diameter equal to or less than 2.5 micrometers would exceed air quality standards. Based on a quantitative analysis of mobile source air toxics (MSAT), the 8-lane alternative would have slightly higher MSAT emissions than the 6-lane alternatives. GHG emissions due to traffic on I-94 will continue to decline each year due to factors such as fleet turnover, improved fuel economy, and increased use of alternative fuel vehicles. Although the 8-lane alternative would have slightly higher GHG emissions than the 6-lane alternatives, GHG emissions along I-94 in the future will be lower than they are in 2023 no matter what alternative is constructed.

The number of potential contaminated sites (sites recommended for additional field testing) is slightly higher for the 8-lane alternative and 6-lane alternative with half interchange at Hawley Road than the 6-lane alternative with full interchange at Hawley Road. This is because of the extension of Washington Street. Disturbance near potentially contaminated sites will be minimized to the greatest extent possible and practicable during design. WisDOT will develop remediation measures for contaminated sites that cannot be avoided.

All of the alternatives evaluated in detail for the I-94 East-West Corridor project would have similar impacts to the natural and built environment. No resource has a clearly substantial difference in impact among the alternatives. The 6-lane alternatives have fewer contaminated site impacts and air quality impacts, and they impact fewer noise receptors. Because it does not need the Washington Street extension, the 6-lane alternative with full interchange at Hawley Road requires less new right-of-way

⁷ The additional right-of-way required for the 8-lane alternative and 6-lane alternative with half interchange at Hawley Road is due to the extension of Washington Street.

⁸ For the Supplemental Draft EIS analysis, the amount of new right-of-way required was the same for both the 8-lane alternative and 6-lane alternative with half interchange at Hawley Road.

and does not displace the one publicly owned building. Thus, the 6-lane alternative (with either Stadium Interchange option) with full interchange at Hawley Road is the environmentally preferred alternative.

Based on the minimal difference in the impacts between the 8- and 6-lane alternatives, the ability to best meet the project's purpose and need, the minimal difference in cost, the ability to mitigate each resource, and input from the public and other agencies, FHWA and WisDOT identified the 8-lane alternative with diverging diamond interchange at the Stadium Interchange as the Selected Alternative. Please refer to the previous section in this ROD, Reasons for Identifying the Selected Alternative, where it is explained why the 8-lane alternative was identified as the Selected Alternative.

Section 4(f) Findings

The USDOT Section 4(f) law (49 United States Code [USC] 303 and 23 USC 138) states that “FHWA and other [Department of Transportation] agencies cannot approve the use of land from significant publicly owned parks, recreation areas, wildlife or waterfowl refuges, or significant public and private historic sites unless [it is determined that] there is no feasible and prudent avoidance alternative to the use of land; and the action includes all possible planning to minimize harm to the property resulting from such use” or the use is *de minimis* (USDOT n.d.). Section 4(f) helped guide the decision-making process for the Selected Alternative.

Analysis performed for the Updated Final Section 4(f) Evaluation (Section 4 of the Supplemental Final EIS) resulted in the following findings regarding use resulting from project actions:

- *De minimis* impact determination for the Soldiers' Home NHL
- *De minimis* impact determination for the Soldiers' Home Historic District
- *De minimis* impact determination for the Menomonee Valley Community Park
- Temporary occupancy determination for Mitchell Boulevard Park

For Story Parkway, there would be no use of this Section 4(f) property with the Selected Alternative. However, it is important to note that FHWA has preliminarily determined that there would be no more than *de minimis* impacts to Story Parkway if a noise barrier were to be built. A final decision on the construction of a noise barrier in this area will be made after the issuance of this ROD during the final design phase, with input from Story Hill Residential Historic District 2 and 3 residents. If a noise barrier were to be built, the Section 106 Programmatic Agreement for this project includes a stipulation to prepare a Noise Barrier Design Plan in consultation with the consulting parties and signatories to the Programmatic Agreement (Appendix I). In this event, as stipulated, FHWA and WisDOT would consult with the consulting parties and signatories regarding the appearance of the wall and other measures to avoid and minimize its impact. FHWA will re-evaluate Section 4(f) determinations for Story Parkway and Story Hill Residential Historic District 2 and 3 based on the results of the noise wall decision. At that time, FHWA will also coordinate with Milwaukee County as the official with jurisdiction over Story Parkway in accordance with the *de minimis* provisions.

Impacts to the three Section 4(f) resources where *de minimis* determinations have been made (Soldiers' Home NHL, Soldiers' Home Historic District, and Menomonee Valley Community Park) and the one Section 4(f) temporary occupancy determination for Mitchell Boulevard Park are described in detail in Section 4 of the Supplemental Final EIS.

Measures to Minimize Harm and Environmental Commitments

From early on in the alternatives development phase, WisDOT refined the design of the 8- and 6-lane alternatives to avoid or minimize impacts while also meeting the need for the project. All practicable measures to minimize environmental harm have been incorporated into the decision in accordance with the CEQ regulations for implementing NEPA (40 CFR 1505.2). Measures to minimize harm to the natural and built environment are detailed in Section 3 of the Supplemental Final EIS. Appendix A documents the mitigation measures and environmental commitments for the Selected Alternative. Key environmental factors and mitigation measures are described in the following sections.

Residential and Commercial Displacements

The federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, provides just compensation for homes and businesses displaced for a federally funded transportation project. In addition to the acquisition price, compensation includes replacement dwelling costs, increased rental or mortgage payments, closing costs, relocation advisory services, reimbursement of moving expenses, and down payment assistance. Under state law, no person (owner or renter) or business would be displaced unless a comparable replacement dwelling, business location, or other compensation (when a suitable replacement business location is not available) would also be provided. Compensation is available to all displaced persons without discrimination. Prior to appraisals and property acquisition, an authorized relocation agent would interview each owner and renter to be relocated in order to determine their needs, desires, and unique situations associated with relocating. The agent would explain the relocation benefits and services each owner may be eligible to receive.

Threatened and Endangered Species

WisDOT will continue to coordinate with the Wisconsin Department of Natural Resources (WDNR) during final design to reassess the potential for any state-listed threatened or endangered plants or other species in the project area for the Selected Alternative. WisDOT will conduct field surveys for state-listed species, and potential impacts will be documented. If a state-listed threatened or endangered species is present and cannot be avoided, WisDOT and WDNR will initiate incidental take consultation in accordance with Section 29.604, Wisconsin Statutes, "Endangered and threatened species protected." The statute requires a consideration of mitigation measures to reduce the impact and a public notice before the permit can be issued.

In compliance with the Migratory Bird Treaty Act of 1918, bridges and culverts will be inspected to determine whether there is any evidence of migratory birds nesting in the structures. If evidence of nesting is observed, WisDOT or its contractor will remove any unoccupied nests from the underside of structures prior to nesting season, which is April 15 to August 31. After nests are removed and before nesting season, nets will be placed under the bridge or at the sides of the culvert structures to prevent birds from re-establishing nests on affected structures.

In compliance with Section 7(c) of the Endangered Species Act of 1973, as amended, WisDOT will implement avoidance and minimization measures to limit impacts to the northern long-eared bat, a federal-listed species, and the tricolored bat, a proposed federal-listed species. All aspects of the project will be modified to avoid tree removal in excess of what is required to implement the project safely. Tree removal within potential habitat will occur outside the active season (November 1 to March 31), and areas will be clearly marked to stay within limits.

To minimize potential indirect effects on bats or aquatic insects that may provide forage, WisDOT will implement erosion, sediment, and stormwater controls to protect water quality, wetlands, and streams. Where feasible, vegetated swales will be used to assist with filtering sediment and other pollutants from roadside drainage. Where reasonable, disturbed areas created from construction activities will be revegetated with trees that will become suitable habitat in the future.

Noise

The project's noise analysis identified six locations where it would be feasible and reasonable to construct noise barriers. If final design results in substantial changes in roadway design from the conditions modeled for the Supplemental EIS, noise abatement measures will be reviewed. A final decision on the installation of the abatement measures will be made upon completion of the project's final design and through the public involvement process, which will solicit the viewpoints of residents and property owners benefited by the construction of the feasible and reasonable noise barriers.

Hazardous Materials

During design, WisDOT will develop remediation measures for contaminated sites that cannot be avoided. Disturbance near potentially contaminated sites will be minimized to the greatest extent possible and practicable. As applicable, the contract special provisions will include a Notice to Contractor describing the potential contamination with names and locations of sites. The areas of potential contamination will be marked on the plan sheets with reference to check the Notice to Contractor in the special provisions.

The Southeast Region WisDOT office will work with concerned parties to ensure that disposition of any petroleum contamination is resolved to the satisfaction of WDNR, WisDOT, and FHWA before acquisition.

During the project's real estate acquisition phase, WisDOT will survey all buildings and structures that need to be demolished to determine whether asbestos or lead-based paint is present. A notification of demolition and/or renovation and application for permit exemption (WDNR Form 4500-113) must be submitted to the WDNR 10 days before demolition or abatement activities.

Standard special provision 203-005, Abatement of Asbestos Containing Material Structure (bid item 203.0210.S), will be included in the contract, and the contractor will be responsible for completion of the Notification of Demolition and/or Renovation (WDNR Form 4500-113).

All appropriate and applicable engineering and regulatory controls will be followed during the handling and disposal of asbestos-containing materials and lead-based paint. Contractors must comply with U.S. Environmental Protection Agency regulations, national emission standards for asbestos, the Occupational Safety and Health Administration regulations on asbestos removal, local government regulations, and all other applicable regulations. The most recent editions of all applicable standards, codes, or regulations will be in effect. Additionally, any person performing asbestos abatement must comply with all training certification requirements, rules, regulations, and laws of the State of Wisconsin regarding asbestos removal.

Historic Properties and Archaeological Sites

FHWA has determined and the State Historic Preservation Office (SHPO), Advisory Council on Historic Preservation, and National Park Service (as applicable) have concurred that the project will have no adverse effect on historic properties or archaeological resources. Alternatives were designed to stay within existing right-of-way as much as possible to minimize the impact on historic properties and

archaeological resources adjacent to I-94. The amended Section 106 Programmatic Agreement includes stipulations regarding the inadvertent discovery of human remains during construction activities and archaeological monitoring within areas that could possibly contain human remains during construction activities.

The amended Section 106 Programmatic Agreement for this project between WisDOT and the Section 106 consulting parties includes stipulations for the design and look of the walls, landscape, and signage adjacent to the Soldiers' Home NHL and National Register Historic District. As part of the project, a low wall would be constructed adjacent to Wood National Cemetery both north and south of I-94 within WisDOT right-of-way. The specific materials, design, appearance, and height and size of the walls will be determined through consultation and a Wall Design Plan, as stipulated in the amended Section 106 Programmatic Agreement. The low wall was requested by the National Cemetery Administration to address their concerns regarding noise and visual impacts in close proximity to the freeway. As stipulated in the amended Section 106 Programmatic Agreement, the draft Design Plan for the Wood National Cemetery walls will be submitted to Signatories and Consulting Parties for review and comment prior to implementation.

Greenhouse Gases during Construction

GHG emissions would be produced at different levels throughout the project's construction phase. At a project level, although GHG mitigation measures are not specifically required under NEPA or other state and federal regulations, WisDOT will follow its Standard Specifications that exist to address pollution reduction/containment measures for the contractor, and also implement the following mitigation measures to help reduce GHG emissions:

- Implement detours and strategic construction timing where feasible to reduce construction delays, including vehicle idling from backups.
- Set up active construction zones, staging areas, and material transfer sites in a way that reduces standing wait times for equipment. Reducing idling times reduces GHG emissions from passenger cars and construction vehicles.
- Work with contractors and subcontractors to reduce idling times. An example would be for contractors and subcontractors to complete and submit idling logs of construction vehicles/equipment every 6 months and monitor by comparing against a baseline log at the inception of the project.
- Work with local municipalities and neighborhood groups, including groups focused on serving environmental justice populations, to minimize the impacts of staging areas and material transfer sites.
- Engage construction contractors in ridesharing and other commute trip reduction efforts to reduce GHG emissions from commute vehicles of employees working on the project.
 - WisDOT will determine an area in proximity to the jobsite where construction staff and equipment parking could occur, and that results in distribution of GHG emissions.
 - WisDOT will post signs to encourage construction staff to use public transport or rideshare.
- Recycle construction and demolition materials to the extent possible. Asphalt, concrete, and rubble are often recycled into aggregate or new asphalt and concrete products. Metals—including steel—are also valuable commodities to recycle.

- Use LED bulbs in new lighting installed along the project corridor. LEDs use less electricity than traditional light bulbs, which in turn reduces the amount of fuel being burned to generate electricity.
- Plant stormwater trees in the project corridor. Stormwater trees not only absorb stormwater and reduce erosion during a rainfall event, but they also absorb carbon dioxide and serve as an urban canopy to reduce urban heat zones. WisDOT has committed to spending \$300,000 as part of the Milwaukee Metropolitan Sewerage District's Reforestation and Wetland Restoration Initiative, as well as additional landscaping within the project limits.
- As a recommendation from the 30% Traffic Management Plan (TMP) for the project, WisDOT would commit \$25 million to transit for operational (additional bus runs to maintain headways) and infrastructure (signals, bus stops, and lane modifications) costs for construction traffic mitigation. This will help minimize congestion on I-94 (and GHG emissions) during construction by promoting transit usage, which in turn reduces idling. This mitigation was developed based on coordination with the Milwaukee County Transit Service, traffic and construction analyses, and impact assessments. This plan allows for flexibility during I-94 East-West Corridor construction to adjust the plan based on what measures are working well and any new measures or technology that may not currently be available. The plan also takes into consideration the potential for permanent transit facility structure measures that could serve as long-term transit system upgrades. The Draft 30% TMP was shared with Community Advisory Committee and Transit Technical Advisory Committee, both of which include local residents and community groups, and they were provided an opportunity to comment on the document. The plan also calls for continued community input during construction.
 - WisDOT will create and post signs to encourage the motoring public to use public transit or rideshare during construction.
- The project will include WisDOT project site air quality specifications. This includes voluntarily establishing staging zones for trucks waiting to load and unload; locating staging zones where idling of diesel-powered equipment will have minimal impact on abutting properties and the general public; having trucks queue up in these zones when practicable; and encouraging drivers to shut down diesel trucks as soon as it appears likely that they will be queued up for more than 10 minutes.

Monitoring and Enforcement Program

The following actions will occur as the project progresses through engineering design and construction:

- WisDOT and FHWA will monitor project development to ensure compliance with the mitigation commitments made in the Supplemental Final EIS/ROD before authorization of federal-aid highway funds for subsequent phases.
- During design and all subsequent major actions, WisDOT will coordinate with FHWA to determine whether there have been any new or revised laws and regulations, or substantive changes in the project scope, affected environment, Selected Alternative, impacts, mitigation measures, or environmental commitments as presented in the Supplemental Final EIS/ROD that could warrant re-evaluation.
- Property acquisition and residential or business displacements will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended). A Relocation Assistance Plan under Section 33.25, Wisconsin Statutes, will be required for displaced residences and businesses, subject to approval by the Wisconsin Department of Commerce.

- Before construction begins that requires discharge of fill material into waters of the United States, including wetlands, authorization will be obtained from the U.S. Army Corps of Engineers (Corps of Engineers) under Section 404 of the Clean Water Act. Such authorization is contingent on obtaining water quality certification from WDNR under Section 401 of the Clean Water Act, and Wisconsin Administrative Code Chapter NR 299.
- Coordination with WDNR and the Corps of Engineers will continue in the design phase concerning the stormwater management plan, erosion control implementation plan, wetland mitigation, and in-stream construction constraint dates.
- WisDOT will continue to coordinate and consult with the U.S. Fish and Wildlife Service on appropriate mitigation measures for any federally listed species, specifically with regard to the northern long-eared bat and tricolored bat. To limit impacts to the northern long-eared and tricolored bats, all aspects of the project will be evaluated during design to minimize tree removal. Tree removal to potential habitat will occur outside the active season, and areas will be clearly marked to stay within limits.
- Prior to construction, WisDOT will consult with WDNR in accordance with the WisDOT/WDNR Cooperative Agreement Memorandum of Understanding On Endangered and Threatened Species Consultation to develop appropriate measures to mitigate potential adverse impacts to state-listed species, oak woodland/southern dry-mesic forest, and fish within the Menomonee River. During final design, WisDOT will conduct field surveys for state-listed species and potential impacts will be documented. If a listed threatened or endangered species is present and cannot be avoided, WisDOT and WDNR will initiate incidental take consultation in accordance with Section 29.604, Wisconsin Statutes, "Endangered and threatened species protected."
- Bridges and culverts will be inspected to determine whether there is any evidence of migratory birds nesting in the structures. If evidence of nesting is observed, WisDOT or its contractor will remove any unoccupied nests from the underside of structures prior to nesting season, which is April 15 to August 31. After nests are removed and prior to nesting season, nets will be placed under the bridge or at the sides of the culvert structures to prevent birds from re-establishing nests on affected structures.
- Contractors must carry out project construction in accordance with WisDOT contract special provisions.
- WisDOT would monitor performance of its water quality protection measures during construction through its WisDOT/WDNR cooperative agreement.
- WisDOT will have an appropriate archaeological field identification survey conducted for borrow, batch plants, waste sites, stormwater/erosion areas, and staging areas to be used for this project. If significant discoveries of non-burial-related archaeological properties are discovered, Section 106 procedures pursuant to 36 CFR 800 will be followed or another area will be obtained for borrow, batch plants, waste sites, and staging areas.
- Per the project's amended Section 106 Programmatic Agreement (Appendix I of the Supplemental Final EIS), a Request to Disturb permit will be acquired from the Wisconsin Historical Society prior to commencing work within any catalogued or uncatalogued human burial site. If human remains are inadvertently/accidentally discovered during implementation of the project, all ground-disturbing activities in the immediate area of the discovery will halt. SHPO will be contacted immediately after work stoppage. WisDOT will immediately implement measures to protect the human remains from

inclement weather and vandalism, and notify appropriate law enforcement officials to determine whether the remains are subject to a criminal investigation by local or federal authorities. The VA's National Cemetery Administration will be notified and consulted if human remains are discovered within or adjacent to Wood National Cemetery.

- WisDOT and FHWA, in coordination with Section 106 consulting parties, will prepare a Monitoring Plan to address concerns about construction-related vibration impacts adjacent to the Soldiers' Home NHL and Historic District. The Monitoring Plan will include a raise and align survey for grave markers within Wood National Cemetery.

WisDOT is responsible for ensuring that environmental commitments made during the NEPA project phase are communicated and carried out in the subsequent design and construction phases. A design study report is prepared at the outset of the final design phase. It serves as the bridging document between the preliminary design/NEPA phase and preparation of final construction plans. Its purpose is to document decisions and rationale with respect to design criteria, geometric and safety aspects, exceptions to standards, real estate acquisition needs, utility adjustments, and environmental commitments and approvals. The design study report for the I-94 East-West Corridor project will include an attachment with the environmental commitments presented in the Supplemental Final EIS and this ROD. It serves as a reference document throughout the final design and construction phases. It is communicated to multidisciplinary WisDOT staff involved in design, maintenance, utilities, real estate acquisition, construction, and environmental monitoring activities. As applicable, environmental commitments in the design study report may also be the basis for developing contract special provisions. The design study report is provided to FHWA under its Federal Oversight Agreement with WisDOT.

Following award of the construction contract, a preconstruction meeting will be held at which such topics as the contractor's plan of operations, environmental commitments, permits, erosion control measures, and other requirements are reviewed and discussed. Environmental permits will be compared to the contractor's plan of operations to ensure that those operations are covered.

WisDOT holds frequent meetings with multidisciplinary staff during final design to ensure that environmental commitments are carried forward and reflected in the final plans, specifications, and estimates before finalizing the construction contract documents. Meetings are also held with outside agencies such as the Corps of Engineers, Section 106 Programmatic Agreement Signatories and Section 106 Consulting Parties, and WDNR during Clean Water Act permit activities to ensure that additional environmental commitments that may be identified are included in the final plans.

Comments on Supplemental Draft Environmental Impact Statement

Section 6 and Appendix J of the Supplemental Final EIS provide detailed information on public involvement and agency coordination since the release of the Supplemental Draft EIS. Public involvement was an essential part of the study process, and public input was considered in the decision-making process. The study team offered numerous opportunities for citizens, state and federal agencies, tribes, and local officials to be involved in the process. WisDOT and FHWA held three PIMs to provide the public an opportunity to review and comment on the need for the study, the range of alternatives, and anticipated impacts. WisDOT used an open-house format for all the meetings. In addition to meeting with the public, WisDOT created numerous advisory committees to obtain more in-depth input on issues affecting the public and to assist the study team in sharing information with the community.

The Notice of Availability for the Supplemental Draft EIS was published in the *Federal Register* on November 18, 2022, and the comment period closed on January 31, 2023, following a 2-week extension of the original comment period. WisDOT and FHWA held a public hearing on December 12, 2022, at the Wisconsin State Fair Park's Tommy Thompson Youth Center, and on December 14, 2022, at Marquette University High School.

The public hearing was a hybrid format in which representatives from WisDOT were available to discuss project alternatives, listen to comments, answer questions, and explain procedures for providing testimony. A presentation detailed the project scope, alternatives, schedule, budget, contacts, environmental impacts, public involvement, timeline, and procedures for providing oral and written testimony.

Three formats for providing testimony were available at the hearing: public oral presentations to a court reporter; private verbal comments to a court reporter; and private written comments. All forms of testimony were given equal consideration. Section 6 of the Supplemental Final EIS summarizes comments from agencies and the public on the Supplemental Draft EIS, and responses to the comments. Appendix J of the Supplemental Final EIS/ROD contains a full response to agency comments. All testimony was documented as part of the Public Hearing Record, which is part of the project's Administrative Record.

Limitations on Claims

FHWA will publish a notice in the *Federal Register*, pursuant to 23 USC 139(i), stating that one or more federal agencies have taken final action on permits, licenses, or approvals for this transportation project. After the notice is published, claims seeking judicial review of those federal agency actions will be barred unless such claims are filed within 150 days after the date of publication of the notice, unless a shorter time period is specified in the federal laws pursuant to which judicial review of the federal agency action is allowed. The date the notice appears in the *Federal Register* will begin the 150-day statute of limitations.

Conclusion

In combining the Supplemental Final EIS and ROD to meet the provisions of 23 USC 139(n)(2) on expediting project delivery, FHWA has considered the facts and circumstances relevant to the Supplemental Final EIS process. FHWA has determined that (1) the Supplemental Final EIS does not make substantial changes to the proposed action that are relevant to environmental or safety concerns and (2) there are no significant new circumstances or information relevant to environmental concerns that bear on the proposed action or the impacts of the proposed action.

Based on the analysis and evaluation documented in the Supplemental Final EIS, and after careful consideration of all social, economic, and environmental factors, including comments received on the Supplemental Draft EIS, it is FHWA's decision to adopt the Selected Alternative (8-lane alternative with diverging diamond interchange at the Stadium Interchange) described in the Supplemental Final EIS/ROD as the proposed action for the project.

3/8/24
Date of Approval


Glenn Fulkerson, Division Administrator, Federal Highway Administration

Summary

Project Background

In fall 2011, Wisconsin's Transportation Projects Commission approved the Interstate 94 (I-94) corridor for study. The scope of the proposed action is to rebuild the freeway, bridges, and interchanges to improve safety and traffic flow. The Wisconsin Department of Transportation (WisDOT) prepared an Environmental Impact Statement (EIS) for the I-94 East-West Corridor from 70th Street to 16th Street in the City of Milwaukee, Wisconsin. The Federal Highway Administration (FHWA) signed the Final EIS on January 29, 2016, and issued a Record of Decision (ROD) on September 9, 2016. The ROD was rescinded on October 11, 2017, due to the Wisconsin state budget not providing funding or authorization to advance the project. In July 2020, Wisconsin Governor Tony Evers announced that WisDOT would seek federal approval to move forward with the I-94 East-West Corridor project. In April 2021, WisDOT announced it would undertake a Supplemental EIS on the project. A Notice of Intent to prepare a Supplemental EIS was published in the *Federal Register* on June 15, 2021.

WisDOT and FHWA prepared a Supplemental EIS to incorporate the most up-to-date data, updated environmental regulations, changes to the alternatives, and public and agency input since the 2016 Final EIS. The section at the end of this Summary provides more detail on the information covered in this Supplemental EIS.

The project would neither require nor preclude other future transportation improvements identified in the regional transportation plan. The project would provide a safer and more efficient transportation system in the I-94 East-West Corridor, while minimizing impacts to the natural, cultural, and built environment to the extent feasible and practicable.

The study area termini are 70th Street on the west and 16th Street on the east. The service interchanges along I-94 at 68th Street/70th Street, Hawley Road, General Mitchell Boulevard, 35th Street, and 25th/26th/28th Street are included in the study, as is the Stadium Interchange¹ (**Exhibit S-1**). The termini for the study generally match the termini for two previously completed projects: the Zoo Interchange reconstruction, west of the I-94 East-West Corridor, and the Marquette Interchange reconstruction to the east.

WisDOT and FHWA are the lead state and federal agencies, respectively, for the project. The Notice of Availability for the Supplemental Draft EIS was published in the *Federal Register* on November 18, 2022, and the comment period closed on January 31, 2023, following a 2-week extension of the original comment period. WisDOT and FHWA held a public hearing on December 12, 2022, at the Wisconsin State Fair Park's Tommy Thompson Youth Center, and on December 14, 2022, at Marquette University High School.

¹ The current Stadium Interchange was designed and built to function as a system interchange in anticipation of planned freeway development. However, because US 41 (now WIS 175) was never fully developed as a freeway and the route does not function as a freeway for an appreciable distance north and south of the interchange, the interchange is not technically classified as a system interchange by FHWA. Throughout this document, the existing Stadium Interchange is generally referred to as a system interchange. FHWA's classification of the type of interchange, as it pertains to the existing interchange, has no bearing on the proposed design of the updated interchange.



Purpose and Need for the Project

The purpose and need describes why the project is being considered. Purpose and need factors for the I-94 East-West Corridor remain the same as the 2016 Final EIS. The supporting information regarding the needs for the project has been updated to reflect current conditions.

The purpose of the project is to address the deteriorated condition of I-94, obsolete roadway and bridge design, existing and future traffic demand, and high crash rates. A combination of the following factors demonstrates the need for the transportation improvements in the I-94 East-West Corridor:

- System linkage and route importance (Section 1.4.2)—I-94 is a major east-west freeway link across the northern United States and is part of the National System of Interstate and Defense Highways. I-94 is also designated a federal and state “long truck route” and a backbone route in WisDOT’s *Connections 2030 Long-Range Multimodal Transportation Plan*. I-94 is a critical link in Milwaukee County’s freeway system. In addition to serving long-distance travelers and freight movement, the study area freeway system is an important commuter route.
- High crash rates (Section 1.4.3)—From 2015 to 2019, there were approximately 2,300 crashes on the I-94 East-West Corridor (I-94 from 70th Street to 16th Street), or roughly 1.3 crashes per day. Approximately 21 percent of the crashes resulted in injuries and 4 crashes were fatal. Crash rates of most sections in the I-94 East-West Corridor are 1 to 2 times the statewide average for urban freeways, and several sections are 2 to 3 times the statewide average. The most common types of crashes were rear-end, single-vehicle off-road, and sideswipe.
- Pavement condition and obsolete design (Section 1.4.4)—This segment of I-94 was constructed in the early 1960s. Over the years, the concrete pavement has become worn and cracked. WisDOT resurfaced I-94 in the mid-1970s, late 1990s, and again in 2011 to 2012, which returned a smooth riding surface to the roadway, but did not address the cracks in the concrete or the voids in the gravel base under the pavement. In addition to the physical condition, there are other substandard design elements, such as inadequate ramp spacing, that must be addressed. Perhaps the most notable outdated design elements are the closely spaced service interchanges and the combination of left- and right-hand entrance and exit ramps, which are contrary to driver expectations and result in major safety and operational problems, such as traffic weaving and congestion. The condition of bridges in the study area has deteriorated over the years due to age, heavier-than-expected traffic, road salt, freeze-thaw cycles, and water entering cracks in the bridges. At some locations, bridge clearances (the vertical distance from the pavement to the lowest portion of the bridge above the roadway) are below current standards.
- Existing and future traffic volumes (Section 1.4.5)—This segment of I-94 carries 158,000 to 178,000 vehicles on an average weekday (2019 volumes). Currently, during the heaviest traffic periods, level of service (LOS) on I-94 ranges between LOS D (moderate congestion) and LOS F (extreme congestion). By 2050 (the project’s design year), traffic volumes are expected to rise to approximately 167,000 to 187,500 vehicles per day, which represents a 5 to 6 percent traffic increase over the current conditions. By 2050, I-94 would generally operate at LOS E (severe congestion) or LOS F during the morning and afternoon peak periods.

Section 1, Purpose and Need for the Project, discusses the factors in more detail. The need for the proposed improvements sets the stage for developing and evaluating improvement alternatives.

Alternatives Considered

Section 2, Alternatives Considered, describes the range of alternatives WisDOT and FHWA developed to address the factors identified in Section 1, Purpose and Need for the Project. For the 2014 Draft EIS and 2016 Final EIS, WisDOT and FHWA developed and evaluated a range of alternatives to address the deficiencies on I-94. The alternatives were presented to the public and assessed to determine their environmental impacts and the extent to which they fulfill the purpose of the project. The 2016 Final EIS describes the detailed analyses of each alternative.

WisDOT and FHWA identified an 8-lane alternative as its preferred alternative in the 2016 Final EIS (At-grade alternative in the west segment; Stadium Interchange reconstructed as a hybrid interchange;² On-alignment alternative in the east segment). This 8-lane alternative would replace the existing roadway and bridges and completely reconfigure I-94 to improve safety, while adding one new through lane in each direction to address congestion. As part of this 2016 Final EIS preferred alternative, the Hawley Road interchange would be reconstructed as a half interchange (only access to and from the west) and the General Mitchell Boulevard interchange would be removed and replaced with a new local road interchange within the Stadium Interchange. To mitigate the traffic impacts of partially closing the Hawley Road interchange, the 2016 Final EIS preferred alternative included an extension of Washington Street and improvements to three local road intersections. Transit and transportation systems management measures were included as part of the identified preferred alternative. As part of the 2016 Final EIS preferred alternative, in some areas along I 94, there would be auxiliary lanes, resulting in more than four lanes:

- Between 68th Street and Hawley Road interchanges, both eastbound and westbound
- Between 35th Street and 26th Street eastbound
- Between 28th Street and 35th Street westbound

For this Supplemental EIS, WisDOT and FHWA reanalyzed the 8-lane alternative (preferred alternative from the 2016 Final EIS) along with a 6-lane alternative with similar alignment. Since the 2016 Final EIS, the 8-lane alternative was refined to address current conditions and reduce impacts where practicable (Section 2.1.2.1). Based on updated alternatives design and coordination with local municipalities, the alternatives analyzed as part of this Supplemental EIS have fewer residential and commercial relocations, require less new right-of-way, and have improved bicycle and pedestrian connections when compared to the 2016 Final EIS preferred alternative.

A 6-lane alternative was analyzed in the 2016 Final EIS; however, WisDOT did not select the 6-lane alternative because it would not accommodate future traffic volumes at an acceptable LOS in 2040. Many areas were projected to operate at LOS E or LOS F. Thus, the 6-lane alternative was eliminated from consideration.

This Supplemental EIS reconsidered the previously dismissed 6-lane alternative using the most recent data and public input. The 6-lane alternative would reconstruct I-94 and maintain 6 through travel lanes (3 in each direction). The 6-lane alternative would have the same alignment as the 8-lane alternative

² The hybrid interchange takes elements of both a system interchange and service interchange. The hybrid interchange at the Stadium Interchange would have both free-flow and signal-controlled ramps, with a lower speed design than the existing Stadium Interchange. The ramps from southbound WIS 175 to eastbound I-94 and from northbound Brewer Boulevard to westbound I-94 would be controlled by a traffic signal.



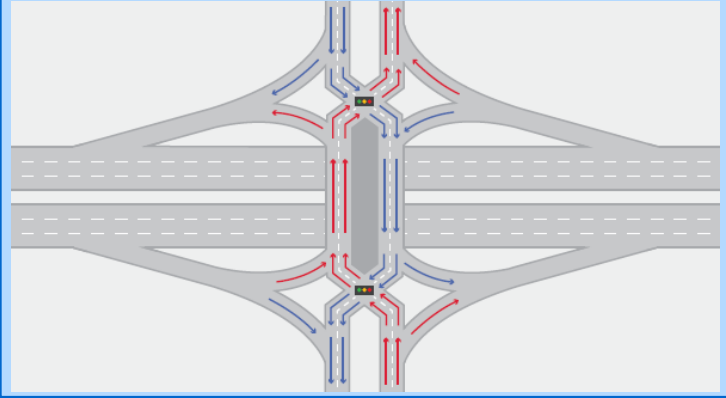
with one less through travel lane in each direction. In some locations there would be auxiliary lanes, resulting in more than 3 lanes.

Since the 2016 Final EIS, updated traffic forecasts (certain Stadium Interchange movements are expected to have lower traffic volumes than the 2040 forecasts used for the 2016 Final EIS) and public comment caused WisDOT to relook at the Stadium Interchange design. In addition to the hybrid interchange (part of the preferred alternative in the 2016 Final EIS), WisDOT determined an at-grade diverging diamond interchange could handle anticipated future traffic volumes and turning movements (refer to the text box for explanation of a diverging diamond interchange). A diverging diamond interchange is considered at the Stadium Interchange as part of this Supplemental EIS.

The following alternatives were retained for detailed study in this Supplemental EIS (Section 2.1.2):³

- 8-lane alternative:
 - Reconstruct I-94 and add a fourth through lane in each direction. In some locations there would be auxiliary lanes, resulting in more than 4 lanes.
 - Reconstruct the interchanges at 68th Street/70th Street, 35th Street, and near 27th Street in a similar configuration to their existing condition.
 - Construct a half interchange at Hawley Road (only access to and from the west).
 - Reconstruct the Stadium Interchange as either a hybrid interchange or diverging diamond interchange.
 - Revise access to and from General Mitchell Boulevard. For the hybrid interchange, new entrance and exit ramps to and from 44th Street and a new north-south local street (tentatively referred to as 46th Street) would be constructed beneath the Stadium Interchange. 44th and 46th Streets would connect to Selig Drive and a new 3-lane frontage road north of I-94, providing access to General Mitchell Boulevard. For the diverging diamond interchange, access to and from General Mitchell Boulevard is provided via ramps within the Stadium Interchange providing direct connections to General Mitchell Boulevard.
 - Generally have 12-foot travel lanes and 12-foot inside and outside shoulders, except for the narrow area between Hawley Road and General Mitchell Boulevard, where cemeteries are on

A diverging diamond interchange requires traffic to cross over from the right side to the left side of the road at the ramp terminals through traffic signals. Once on the left side of the road, vehicles can turn left onto highway ramps without stopping and without conflicting with through traffic. For high-volume interchanges with substantial left turning movements, such as the Stadium Interchange, diverging diamond interchanges are safer, more efficient, and more cost-effective than traditional diamond interchanges. The following is a sample traffic pattern in a typical diverging diamond interchange and not a precise representation of the proposed Stadium Interchange.



³ The Double Deck alternative and Off-alignment alternative, which were studied in detail in the 2016 Final EIS, were ultimately dismissed in the 2016 Final EIS and are not considered in this Supplemental EIS (refer to Section 2 of the Supplemental Draft EIS for more information).

both sides of I-94. To avoid the cemeteries, the 8-lane alternative would have less than 12-foot driving lanes (11 feet at the narrowest) and narrow shoulders (2 feet at the narrowest) through this area.

- Extend Washington Street (approximately 0.6 mile south of I-94 between 70th Street and Hawley Road) and improve three local road intersections to make it easier for drivers on Hawley Road to access the 68th Street/70th Street interchange, mitigating the traffic impacts of partially closing the Hawley Road interchange.
- Remain nearly on the existing alignment the entire length of the project.
- 6-lane alternative:
 - Reconstruct I-94, maintaining 3 through lanes in each direction. In some locations there would be auxiliary lanes, resulting in more than 3 lanes. The 6-lane alternative would have the same alignment as the 8-lane alternative with one less through travel lane in each direction.
 - Reconstruct the interchanges at 68th Street/70th Street, 35th Street, and near 27th Street in a similar configuration to their existing condition.
 - Construct a half interchange (only access to and from the west) or full interchange at Hawley Road.
 - Reconstruct the Stadium Interchange as either a hybrid interchange or diverging diamond interchange.
 - Revise access to and from General Mitchell Boulevard via new entrance and exit ramps to and from 44th Street. For the hybrid interchange, new entrance and exit ramps to and from 44th Street and a new north-south local street (tentatively referred to as 46th Street) would be constructed beneath the Stadium Interchange. 44th and 46th Streets would connect to Selig Drive and the new 3-lane frontage road north of I-94, providing access to General Mitchell Boulevard. For the diverging diamond interchange, access to and from General Mitchell Boulevard is provided via ramps within the Stadium Interchange providing direct connections to General Mitchell Boulevard.
 - The full interchange at Hawley Road would eliminate the need for the off-interstate improvements (Washington Street and the three local road intersections) and would require auxiliary lanes between Hawley Road and the Stadium Interchange due to the close proximity of the interchanges. The 6-lane alternative with full interchange at Hawley Road would have 11-foot driving lanes and narrow shoulders in the segment between the cemeteries, similar to the 8-lane alternative.
 - The half interchange at Hawley Road option was retained because it would maintain 12-foot lanes through the cemetery area just west of American Family Field. However, to avoid encroachment on the cemeteries, the reconstructed I-94 would have narrow shoulders between Hawley Road and Zablocki Drive. To mitigate the traffic impacts of partially closing the Hawley Road interchange, WisDOT would extend Washington Street (approximately 0.6 mile south of I-94 between 70th Street and Hawley Road) and improve three local road intersections to make it easier for drivers on Hawley Road to access the 68th Street/70th Street interchange.
 - Remain nearly on the existing alignment the entire length of the project.
- No-build alternative (retained for comparative purposes)

Table 2-6 in Section 2 summarizes how the alternatives meet purpose and need.



Preferred Alternative

Identification of a preferred alternative occurred after carefully reviewing input received from the public, agencies, and local governments since the completion of the 2016 Final EIS. Identification of the preferred alternative was based on engineering factors; impacts to the human/natural environment; cost; and input from the public, state and federal resource agencies, cooperating and participating agencies, and local officials. Identification of the preferred alternative was performed in accordance with Section 404 of the Clean Water Act, Sections 106 and 110(f) of the National Historic Preservation Act, as amended, and the United States Department of Transportation's Section 4(f) law.

WisDOT and FHWA identified the 8-lane alternative with a diverging diamond interchange at the Stadium Interchange as the preferred alternative (Section 2.4.2).

As part of the preferred alternative, WisDOT would construct some off-interstate improvements to mitigate the traffic impacts of partially closing the Hawley Road interchange. WisDOT would extend Washington Street and improve three local road intersections (70th Street/Greenfield Avenue, National Avenue/Greenfield Avenue, Brewers Boulevard/National Avenue) to make it easier for drivers in the Hawley Road corridor to access the 68th Street/70th Street interchange.

Environmental Impacts and Mitigation

The Supplemental EIS updates the environmental impacts in the 2016 Final EIS using the most recent data, updated environmental regulations, and public and agency input. It also evaluates the impacts of the 6-lane alternatives (full Hawley Road interchange option and half Hawley Road interchange option), the revised 8-lane alternative, and the hybrid and diverging diamond interchange options at the Stadium Interchange.

Design Refinements to the Preferred Alternative following the Supplemental Draft EIS

- The cul-de-sac on 69th Street north of I-94 was removed. 69th Street will tie into O'Connor Street consistent with the tie-in on the south side of I-94. This will reduce impacts to adjacent properties.
- The Stadium Interchange was shifted slightly east, which moves WIS 175 between 50 feet east at the north end of the Stadium Interchange and 135 feet east just south of I-94. 44th Street was also shifted slightly east to accommodate the shift to WIS 175.
- The northern limit of the project along WIS 175 was revised to stop just south of Bluemound Road. This eliminates the need to reconstruct the Bluemound Road bridge and Wisconsin Avenue northbound exit ramp, which are not required for the diverging diamond interchange.
- Selig Drive was reconfigured to travel under Brewers Boulevard and connect into 44th Street farther north than it previously did. This allows Brewers Boulevard to be at a lower elevation south of I-94, reducing the amount of fill needed and resulting in a shorter bridge carrying Brewers Boulevard over Selig Drive. A new pedestrian bridge will be constructed over Brewers Boulevard to replace the existing pedestrian access along existing Selig Drive. This reconfiguration of Selig Drive reduces the project construction cost.
- The curve along I-94 between 35th and 27th Streets was flattened to improve the alignment and increase the distance of the roadway from the Greves Street substation.
- The I-94 westbound braided ramps (35th Street westbound entrance with WIS 175 westbound exit) were moved slightly farther away from Valley Park (5 to 10 feet).
- The I-94 eastbound braided ramps (35th Street eastbound exit with WIS 175 eastbound entrance) were reconfigured slightly to avoid an existing cell tower and billboard.
- The south limits of the 27th Street viaduct were redesigned to stop north of Greves Street (shortened by more than 300 feet) to avoid crossing the railroad, which reduces cost and construction schedule risk.

Refer to Section 2.1.3 and Exhibits 2-1 and 2-2 of the Supplemental Final EIS for more detail on these design refinements. These design refinements resulted in no or minimal changes to impacts. These changes are described in detail in Section 3.

Due to refined design, coordination with local municipalities, and consideration of public comments on the 2016 Final EIS preferred alternative, the alternatives studied as part of this Supplemental EIS have less impacts than the 2016 Final EIS preferred alternative. Key updates to the alternatives analysis include:

- *1 residential relocation, reduced from 8 with 2016 Final EIS preferred alternative*
- *6 commercial relocations, reduced from 11 with the 2016 Final EIS preferred alternative*
- *42 to 54 acres of new right-of-way required, reduced from 73 acres with the 2016 Final EIS preferred alternative*
- *Additional bicycle and pedestrian improvements*

Table S-1 summarizes the impacts of the No-build alternative, the 8- and 6-lane alternatives (refer to Section 3 for a detailed evaluation), and the 2016 Final EIS preferred alternative (At-grade alternative in the west segment; Stadium Interchange reconstructed as a hybrid interchange; On-alignment alternative in the east segment). Appendix A provides a summary of the mitigation measures, detailed in Section 3, for the 8- and 6-lane alternatives.

The 8- and 6-lane alternatives would convert between 42 and 54 acres⁴ of residential, commercial, utility, and institutional land to highway right-of-way (Section 3.2). This is less than the 2016 preferred alternative, which required 73 acres of new right-of-way. Several factors went in to reducing the amount of new right-of-way required, including:

- Revisions to the design at the eastbound 68th Street entrance ramp, 35th Street interchange, and 27th Street interchange resulted in the reduction of residential and commercial relocations. With no longer needing to acquire these full properties, the amount of new right-of-way required was reduced.
- Revisions to the Washington Street and Hawley Road alignments.
- It is anticipated that the electrical substation impacted (Section 3.4) will be relocated within existing highway right-of-way; thus, acreage for a new substation is not included in the new right-of-way needed like it was for the 2016 Final EIS preferred alternative.
- The 2016 Final EIS included temporary limited easements (TLEs) as part of the total new right-of-way required. A TLE is required when WisDOT must use a portion of land to construct a highway project and is limited in purpose and time. WisDOT's right to use the property will terminate upon completion of construction. Most of the TLEs required are associated with reconstruction of the Stadium Interchange. Due to the fact that TLEs will not become permanent new highway right-of-way, they were not included as part of the calculation of new right-of-way required.

The 8- and 6-lane alternatives would displace one residence and six businesses (Sections 3.5 and 3.6). The 8-lane alternative and 6-lane alternative with half interchange at Hawley Road would displace a WisDOT maintenance building on 60th Street (Section 3.7). The number of residential and business

⁴ As a result of the Stadium Interchange design refinements since the Supplemental Draft EIS, the 8-lane alternative with a diverging diamond interchange at the Stadium Interchange (preferred alternative) would acquire 54 acres of new right-of-way, compared to the 49 acres identified in the Supplemental Draft EIS. This is due to shifting the Stadium Interchange east, requiring additional land from the American Family Field property outside existing right-of-way. If the 6-lane alternatives were carried forward for more detailed design, they would have a similar increase in right-of-way.

displacements were reduced from eight and 11, respectively, from the 2016 Final EIS preferred alternative due to design refinements. Refer to Section 2.1.2.1 for details on the design refinements that have occurred since the 2016 Final EIS. Residential and business relocations and acquisitions will be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended. The Uniform Act provides measures to minimize the hardships of relocation for the occupants.

The 8- and 6-lane alternatives would neither displace graves nor acquire property from the three cemeteries adjacent to I-94.

Regarding environmental justice (Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” and Executive Order 14096, “Revitalizing Our Nation’s Commitment to Environmental Justice for All”), the I-94 East-West Corridor project would have both negative and positive effects on minority and/or low-income populations, but the effects would not be disproportionately high and adverse (Section 3.9). This conclusion was the same for the 2016 Final EIS preferred alternative.

The 8- and 6-lane alternatives would impact between 65 and 80 representative noise receptors (Section 3.19), whereas the 2016 Final EIS preferred alternative would impact 59 representative noise receptors as well as 7 representative noise receptors for the Washington Street extension. The 8- and 6-lane alternatives would not impact any noise receptors for the Washington Street extension due to design refinements. Of 15 noise barriers evaluated for the preferred alternative, 6 noise barriers were determined feasible and reasonable. A final decision on the construction of noise barriers will be made during the final design phase. A noise barrier would be built if a simple majority of the benefited receptors vote in favor of it; otherwise, the noise barrier would not be built.

I-94 is adjacent to a National Historic Landmark (NHL), the Northwestern Branch, National Home for Disabled Volunteer Soldiers NHL (Soldiers’ Home NHL), and several other historic properties. As part of the 2016 Final EIS, FHWA, in consultation with the Section 106 consulting parties, determined that the preferred alternative could be designed to result in No Adverse Effect on these properties. As part of this Supplemental EIS process, WisDOT and FHWA re-engaged the Section 106 consulting parties and re-opened the consultation process. FHWA, in conjunction with the Section 106 consulting parties, arrived at the same effects determination that the preferred alternative could be designed to result in No Adverse Effect on historic properties. Additionally, the previously signed Section 106 Programmatic Agreement for this project was updated. The amended Section 106 Programmatic Agreement stipulates the appropriate design review processes and other steps to be taken to ensure there will be No Adverse Effect on the Soldiers’ Home Historic District, Soldiers’ Home NHL, and other historic properties.

Much like in the 2016 Final EIS, the 8- and 6-lane alternatives would result in no more than *de minimis*⁵ impacts of any Section 4(f) properties. **Table 4-1** in Section 4 summarizes potential use of Section 4(f) properties in the study area as a result of the 8- and 6-lane alternatives.

WisDOT completed a 30% Traffic Mitigation Plan (TMP) report in early 2022 to review potential impacts of I-94 East-West construction on Milwaukee County Transit Service (MCTS) operations and developed conceptual mitigation measures. A conceptual mitigation program was developed based on

⁵ A *de minimis* impact on a public parkland, recreational area, or wildlife and waterfowl refuge is defined as that which does not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f). A *de minimis* impact determination is made for an historic site if FHWA makes a determination for a property of “No Adverse Effect” or “No Historic Properties Affected” through consultation under Section 106 of the National Historic Preservation Act, and the official with jurisdiction concurs with that determination.

coordination with MCTS, traffic and construction analyses, and impact assessments. The conceptual mitigation program includes measures for additional buses to maintain headways, infrastructure improvements, additional frequencies to mitigate traffic impacts, and funding to support MCTS staffing and outreach during construction. This plan allows for flexibility during I-94 East-West construction to adjust the plan based on what measures are working well and any new measures or technology that may not currently be available. The plan also takes into consideration the potential for permanent transit facility structure measures that could serve as long-term transit system upgrades. The 30% TMP report was shared with the project's Community Advisory Committee and Transit Technical Advisory Committee, and they were provided an opportunity to comment on the report.



Table S-1. Impact Summary Table

Environmental Factor	No build	Supplemental Final EIS (2023)	Supplemental Draft EIS (2022)			Final EIS (2016)
		8-lane Alternative as Evaluated in the Supplemental Final EIS (Preferred Alternative)	8-lane Alternative as Evaluated in the Supplemental Draft EIS (Preferred Alternative)	6-lane Alternative (Half Interchange at Hawley Road) as Evaluated in the Supplemental Draft EIS	6-lane Alternative (Full Interchange at Hawley Road) as Evaluated in the Supplemental Draft EIS	2016 Final EIS Preferred Alternative (At-grade alternative [half interchange at Hawley Road] and On alignment alternative)
Total Cost Estimate (in billions)	- ^a	\$1.47 (2023 dollars) ^b \$1.74 (YOE)	\$1.28—Hybrid (2021 dollars) \$1.20—Diverging Diamond (2021 dollars)	\$1.24—Hybrid (2021 dollars) \$1.16—Diverging Diamond (2021 dollars)	\$1.21—Hybrid (2021 dollars) \$1.13—Diverging Diamond (2021 dollars)	\$1.20 (2021 dollars) ^c
New Right-of-Way (acres) ^d	0	54 ^e (Diverging Diamond)	49 (Hybrid/Diverging Diamond)	48 (Hybrid/Diverging Diamond)	42 (Hybrid/Diverging Diamond)	73
Residential Displacements (housing units)	0	1	1	1	1	8
Commercial Displacements	0	6	6	6	6	11
Publicly Owned Building Displacements	0	1 ^f	1 ^f	1 ^f	0	1 ^f
100-year Floodplain Crossings (no new crossings)	1	1	1	1	1	1
Floodplain (acres)	0	0	0	0	0	0
Stream Crossings (no new crossings)	1	1	1	1	1	1
Wetland (acres)	0	0.05	0.05	0.05	0.05	0.6
Parkland (acres)	0	0	0	0	0	0
Threatened and Endangered Species Impacts (Yes/No)	No	Yes	Yes	Yes	Yes	Yes
Primary Environmental Corridor (acres)	0	0	0	0	0	0
Adverse Effects to Historic Properties	0	0	0	0	0	0
Archaeological Sites Affected	0	0	0	0	0	0
Disproportionately High and Adverse Effect to Environmental Justice Populations (Yes/No)	No	No ^g	No ^g	No ^g	No ^g	No ^g
Air Quality Permit	No	No	No	No	No	No
Representative Noise Receptors	0	80 (Diverging)	72 (Hybrid) 80 (Diverging)	66 (Hybrid) 72 (Diverging)	65 (Hybrid) 72 (Diverging)	66



Table S-1. Impact Summary Table

Environmental Factor	No build	Supplemental Final EIS (2023)	Supplemental Draft EIS (2022)			Final EIS (2016)
		8-lane Alternative as Evaluated in the Supplemental Final EIS (Preferred Alternative)	8-lane Alternative as Evaluated in the Supplemental Draft EIS (Preferred Alternative)	6-lane Alternative (Half Interchange at Hawley Road) as Evaluated in the Supplemental Draft EIS	6-lane Alternative (Full Interchange at Hawley Road) as Evaluated in the Supplemental Draft EIS	2016 Final EIS Preferred Alternative (At-grade alternative [half interchange at Hawley Road] and On alignment alternative)
Impacted (design year 2050) ^h		Diamond)	Diamond)	Diamond)	Diamond)	
Potential Contaminated Sites (sites recommended for additional field testing)	0	67 ⁱ	67 ⁱ	67 ⁱ	51	39

^a The No-build alternative would have continual repair and maintenance costs, but a value is difficult to determine. As the facility continues to deteriorate, the level of effort and associated costs would increase.

^b The preferred alternative cost in the Supplemental Draft EIS was approximately \$1.2 billion (in 2021 dollars). In May 2023, WisDOT and FHWA conducted a cost and schedule risk assessment to update the preferred alternative cost to 2023 dollars and develop a year-of-expenditure (YOE) cost. The project would cost \$1.47 billion in 2023 dollars. The design refinements to the preferred alternative since the Supplemental Draft EIS, as described in Section 2.1.3 of this Supplemental Final EIS/ROD, resulted in cost savings. However, although the project scope has decreased, inflation has risen substantially and caused the overall project cost to increase. As discussed in Section 2.4.2.1 of the Supplemental Final EIS, costs for the 6-lane alternatives were not updated to 2023 dollars.

^c The cost of the 2016 Final EIS preferred alternative was \$850 million in 2014 dollars. This cost was updated to 2021 dollars to provide a better comparison with the alternatives in the Supplemental Draft EIS. The increased cost equates to approximately a 5 percent construction inflation index increase per year over the 7 years (2014 to 2021).

^d In addition to right-of-way acquisition, easements (not included as part of the right-of-way total in this table) may be required.

^e As a result of the Stadium Interchange design refinements since the Supplemental Draft EIS, the preferred alternative would acquire 54 acres of new right-of-way, compared to the 49 acres identified in the Supplemental Draft EIS. The additional 5 acres would come from public land (i.e., American Family Field property). If the 6-lane alternative designs were taken to the same level of detailed design post-Supplemental Draft EIS, after they were dropped from consideration, they too would have a similar amount of right-of-way acreage increase (5 acres from American Family Field property) due to the same shift of the Stadium Interchange to the east that the 8-lane alternative had. Thus, the 6-lane alternative with a half Hawley Road interchange would have approximately 53 acres of new right-of-way for both the diverging diamond and hybrid interchanges at the Stadium Interchange, and the 6-lane alternative with a full Hawley Road interchange would have approximately 47 acres of new right-of-way for both the diverging diamond and hybrid interchanges at the Stadium Interchange.

^f The WisDOT Southeast Region Service building on 60th Street/Hawley Road would be relocated as a result of the Washington Street extension.

^g The project would have both negative and positive effects on minority and/or low-income populations, but the effects would not be disproportionately high and adverse as defined by Executive Order 12898, Executive Order 14096, United States Department of Transportation Order 5610.2C, and FHWA Order 6640.23A.

^h Changes to the number of impacted representative receptors for the 8- and 6-lane alternatives evaluated in the 2022 Supplemental Draft EIS are due to a computational error, not due to changes in the noise analysis. The total number of impacted representative receptors reported in Table S-1 in the 2022 Supplemental Draft EIS only accounted for impacted residential representative receptors, but should have accounted for all types of representative receptors.

ⁱ This includes 16 sites recommended for field testing due to the Washington Street extension.

Economic Impact

As presented in the Supplemental Draft EIS, the preferred alternative (8-lane alternative with a diverging diamond interchange at the Stadium Interchange) would cost approximately \$1.20 billion (2021 dollars).

In May 2023, WisDOT and FHWA conducted a cost and schedule risk assessment to update the preferred alternative cost to 2023 dollars and develop a year-of-expenditure (YOE) cost.⁶ Based on the results of the cost and schedule risk assessment, the project would cost \$1.47 billion in 2023 dollars. The design refinements to the preferred alternative since the Supplemental Draft EIS, as described in Section 2.1.3 of this Supplemental Final EIS/ROD, resulted in cost savings. However, although the project scope has decreased, inflation has risen substantially and caused the overall project cost to increase.

The preferred alternative would cost \$1.74 billion in YOE dollars, compared to \$1.106 billion in the 2016 Final EIS. Risks (both threats and opportunities) were added to the cost estimate, and inflation rates provided by WisDOT, as adjusted, were used to inflate costs from the date of the estimates to the midpoints of expenditure based on the projected schedule.

Public Involvement

WisDOT and FHWA implemented an extensive public involvement program for the study, which is detailed in Section 5, Public Involvement and Agency Coordination during Draft EIS Preparation Prior to Draft EIS Availability, and Section 6, Public Involvement and Agency Coordination Following Supplemental Draft EIS Availability and Public Hearing. WisDOT held nearly 200 meetings with local governments, elected officials, community groups, businesses, state and federal agencies, and advisory committees since June 2020. Public involvement meetings were held in March and December 2021 and June 2022.

During the public involvement meetings, there was support for and opposition to different aspects of the project. The following were areas of controversy: adding a lane to I-94, potential freeway access changes, impacts to historic resources, visual impacts and traffic noise in neighborhoods adjacent to the freeway, and lack of transit alternatives.

Public hearings for the project were conducted on December 12 and 14, 2022. The public, local officials, and government agencies were encouraged to provide comments regarding the project. The Notice of Availability for the Supplemental Draft EIS was published in the *Federal Register* on November 18, 2022, and the comment period closed on January 31, 2023, following a 2-week extension of the original comment period. This extended 75-day comment period exceeded federal requirements.

During the availability period, WisDOT received comments from federal and state agencies, local officials, interest groups, and the public (refer to Section 6, Public Involvement and Agency Coordination Following Supplemental Draft EIS Availability and Public Hearing). Similar to input received during the public involvement meetings, there was support for and opposition to different aspects of the project. Project supporters cited improved safety, reduced congestion, and updating aging infrastructure as reasons to expand I-94. Project opponents often encouraged alternative modes of transportation instead of expanding I-94.

⁶ Year-of-expenditure (YOE) is the total project cost, including inflation. For this project, construction is anticipated to take place between 2025 and 2031.

Section 6, Public Involvement and Agency Coordination Following Supplemental Draft EIS Availability and Public Hearing, provides information regarding the public hearings and the comments received during the Supplemental Draft EIS availability period. Section 6.4 summarizes responses to substantive comments received during the Supplemental Draft EIS availability period related to the project's purpose and need; alternatives analysis; social, economic, or environmental impact analysis; or public involvement.

A public involvement meeting to discuss the proposed improvements at Washington Street was held in July 2023 and is summarized in Section 6.5.1.

In October 2023, WisDOT published a newsletter informing the public of the latest project news since the Supplemental Draft EIS—the greenhouse gas analysis, potential impacts on the Menomonee Valley Community Park, design and schedule updates, and outreach conducted during summer 2023. WisDOT asked the public to provide comments on the greenhouse gas analysis and potential impacts to the Menomonee Valley Community Park.

Other Approvals Needed

Beyond approval of this Supplemental Final EIS by WisDOT and FHWA, there are additional laws, regulations, and guidance that WisDOT and FHWA must comply with for this project to move forward, as listed in **Table S-2**.

Table S-2. Other Approvals Needed

Law or Presidential Executive Order	Action	Issuing Agency	Notes	Timing
Clean Water Act	Section 401 Water Quality Certification	Wisconsin Department of Natural Resources		Prior to construction
	Section 404 Permit	U.S. Army Corps of Engineers	The U.S. Army Corps of Engineers must issue a Section 404 permit before any discharge of dredged or filled material into waters of the U.S. It is anticipated that this project will require a Transportation Regional General Permit.	
Executive Orders 12898 and 14096 on Environmental Justice	Determination	FHWA	FHWA must determine whether the project would have a disproportionately high or adverse effect on low-income or minority populations.	Supplemental Final EIS/ Record of Decision

Table S-2. Other Approvals Needed

Law or Presidential Executive Order	Action	Issuing Agency	Notes	Timing
Section 106 and Section 110(f) of National Historic Preservation Act	Consultation	FHWA	FHWA must consult with the State Historic Preservation Office and other consulting parties to consider potential effects and mitigation measures related to historic properties. The Section 106 process seeks to accommodate historic preservation concerns with the needs of federal undertakings through consultation among parties (such as Wisconsin State Historic Preservation Office, National Park Service, Advisory Council on Historic Preservation, U.S. Department of Veterans Affairs) with an interest in the effects of the undertaking on historic properties.	Supplemental Final EIS/ Record of Decision
Section 4(f) of the U.S. Department of Transportation Act	Approval	FHWA	For parks and historic resources that will be affected, FHWA must find that there is no feasible or practicable alternative to their use and that all measures to minimize harm will be implemented. The preferred alternative would not result in impacts to any Section 4(f) properties greater than <i>de minimis</i> .	Supplemental Final EIS/ Record of Decision
Endangered Species Act	Biological Opinion	U.S. Fish and Wildlife Service	A Biological Opinion identifies all mitigation measures and terms of conditions applicable to the project.	Supplemental Final EIS/ Record of Decision
Clean Air Act National Ambient Air Quality Standards	Coordination	U.S. Environmental Protection Agency	No permit of approval is needed, but WisDOT will assess impacts to air quality in coordination with FHWA and U.S. Environmental Protection Agency as required under the Clean Air Act.	Supplemental Final EIS/ Record of Decision
Wisconsin State Statute 29.604 and Administrative Code NR 27	Coordination	Wisconsin Department of Natural Resources	WisDOT will coordinate state threatened and endangered species impacts with the Wisconsin Department of Natural Resources.	Prior to construction

Table S-2. Other Approvals Needed

Law or Presidential Executive Order	Action	Issuing Agency	Notes	Timing
Wisconsin State Statute 157.70, Burial Sites Preservation	Request to disturb a burial site; approval	Wisconsin Historical Society	Any person who intends to cause or permit any activity on a cataloged burial site or on cataloged land contiguous to a cataloged burial site which in any way might disturb the burial site or the land shall apply to the director of the Wisconsin Historical Society for a permit to disturb the burial site or the land. The application shall include the purpose of the disturbance.	Prior to construction
Wisconsin State Statute 283.33	Transportation Construction General Permit	Wisconsin Department of Natural Resources	The permit is required for WisDOT directed and supervised projects with one or more acres of land disturbance. The permit authorizes WisDOT to discharge stormwater to waterways in accordance with conditions set forth in the permit.	Prior to construction

Information about the Supplemental EIS

The Supplemental EIS incorporates the most up-to-date data, updated environmental regulations, changes to the alternatives, and public and agency input since the 2016 Final EIS. Changes between the 2016 Final EIS and Supplemental EIS are described in the following sections.

Section 1—Purpose and Need for the Project

- Updated traffic volumes with 2019 data
- Updated the traffic forecasts with a design year of 2050
- Updated the crash analysis using crash data from 2015 to 2019
- Updated demographic information (population, jobs, and businesses) using most recently available Census data
- Updated the focus and discussion of the Southeastern Wisconsin Regional Planning Commission's (SEWRPC's) 2035 plan using the most recent regional land use and transportation plan, *VISION 2050: A Regional Land Use and Transportation Plan for Southeastern Wisconsin—SEWRPC Planning Report No. 55*

Section 2—Alternatives Considered

- Analyzed 6-lane alternatives in addition to a revised 8-lane alternative from the 2016 Final EIS
- Analyzed a diverging diamond interchange at the Stadium Interchange in addition to the hybrid interchange analyzed in the 2016 Final EIS
- Analyzed the alternatives using updated design year 2050 traffic and safety projections



- Analyzed the alternatives in the context of SEWRPC’s most recent regional land use and transportation plan, *VISION 2050: A Regional Land Use and Transportation Plan for Southeastern Wisconsin—SEWRPC Planning Report No. 55*
- Incorporated public and agency input on the alternatives since the 2016 Final EIS
- Described design refinements to preferred alternative since the November 2022 Supplemental Draft EIS

Section 3—Existing Conditions, Environmental Impacts, and Measures to Mitigate Adverse Impacts

This section was updated from the 2016 Final EIS based on the most up-to-date data for each resource, design refinements to the 8-lane alternative, adding the 6-lane alternatives, adding the diverging diamond interchange at the Stadium Interchange in addition to the hybrid interchange, and public and agency input. Notable changes to the impacts are as follows:

- In the Direct Land Use Changes section (Section 3.2.2.2), updated the acres of land that would be acquired under the 8- and 6-lane alternatives from 64 to 75 acres in the 2016 Final EIS to 42 to 54 acres.
- Revised the Highway Traffic and Operational Characteristics section (Section 3.3.2.3) to account for 2050 design year traffic projections, 2015 to 2019 crash data, and updated predictive safety analysis.
- In the Residential Development Impacts section (Section 3.5.2), revised the number of residential displacements from eight to one for the 8- and 6-lane alternatives.
- In the Commercial and Industrial Development Impacts section (Section 3.6.2), revised the number of commercial displacements from 11 to 6 for the 8- and 6-lane alternatives.
- In the Socioeconomic Characteristics section (Section 3.8) and Environmental Justice section (Section 3.9), updated demographic data using the 2017-2021 American Community Survey 5-year Estimates, added data for Waukesha County in some instances, and updated information regarding potential impacts.
- In the Wetland Impacts section (Section 3.15.2), updated the acres of wetlands impacted by the 8- and 6-lane alternatives, which is less than the impacts in the 2016 Final EIS.
- In the Threatened and Endangered Species Impacts section (Section 3.18.2), revised the impacts to state-listed species. Some state-listed species identified in the 2016 Final EIS are no longer present in the project corridor, per coordination with the Wisconsin Department of Natural Resources (WDNR). Although impacts to state-listed species may occur, they will be evaluated in accordance with WDNR when field surveys are conducted.
- Updated the Noise section (Section 3.19) to document the new traffic noise study conducted for the Supplemental EIS. The traffic noise study is documented in detail in Appendix E. The study evaluated the traffic noise impacts of the 8-lane and 6-lane alternatives, along with the hybrid interchange and diverging diamond interchange at the Stadium Interchange. The number and location of feasible and reasonable noise barriers is the same as in the 2016 Final EIS.
- Updated the Air Quality section (Section 3.20) to include a summary of the greenhouse gas analysis. Following completion of the Supplemental Draft EIS, the Council on Environmental Quality published interim guidance on January 9, 2023, regarding how to evaluate greenhouse gas emissions and

climate change under the National Environmental Policy Act (NEPA). According to the interim guidance, when conducting climate change analyses in NEPA reviews, agencies should consider the potential effects of a proposed action on climate change, including assessing greenhouse gas emissions from the proposed action, as well as the effects of climate change on a proposed action and its environmental impacts. FHWA and WisDOT used the methodology outlined in the interim guidance to complete an analysis of greenhouse gas emissions and climate change impacts for the I-94 East-West Corridor project.

- Updated the Historic Property Impacts section (Section 3.24.2) to describe potential impacts to the West St. Paul Avenue Industrial Historic District and 16th Street Viaduct. The project's area of potential effect (APE) was reviewed in summer 2020 to determine if there were any structures or areas potentially eligible for the National Register that were not identified as part of the Section 106 consultation for the 2016 Final EIS. The APE was updated based on refined project design and inclusion of the West St. Paul Avenue Industrial Historic District and 16th Street Viaduct. For buildings or districts within the APE that had not previously been evaluated, WisDOT prepared Determinations of Eligibility to assess their eligibility for the National Register of Historic Places (National Register).
- Updated the Recreational Resource/Public Use Land section (Section 3.26) to include the Menomonee Valley Community Park. Part of the 35th Street viaduct over this park will be reconstructed, resulting in some impacts to the park during construction. This section was updated to include mention of the park, potential impacts to the park during construction, and measures to mitigate those impacts.
- In the Construction Costs section (Section 3.27.1), updated the construction cost for the 8-lane alternative and added the construction costs for the 6-lane alternatives.

Section 4—Updated Section 4(f) Evaluation

Identified three new Section 4(f) properties since the 2016 Final EIS (West St. Paul Avenue Historic District, 16th Street Viaduct, and Menomonee Valley Community Park). Re-evaluated the changes to the 8-lane alternative and evaluated the 6-lane alternatives and Stadium Interchange options. The preferred alternative would result in no more than *de minimis* impacts of any Section 4(f) properties. Section 4 also reflects continued coordination with the Section 106 consulting parties.

Section 5—Public Involvement and Agency Coordination since 2016 Final EIS

Described new public involvement and agency coordination that has occurred since the 2016 Final EIS.

Section 6—Public Involvement and Agency Coordination Following Supplemental Draft EIS Availability and Public Hearing

Described new public involvement and agency coordination that has occurred following the Notice of Availability for the Supplemental Draft EIS, published in the *Federal Register* on November 18, 2022.



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Acronyms and Abbreviations

AADT	annual average daily traffic
AASHTO	American Association of State Highway and Transportation Officials
ACHP	Advisory Council on Historic Preservation
ACS	American Community Survey
ADA	Americans with Disabilities Act
AOC	Area of Concern
APE	Area of Potential Effects
ATC	American Transmission Company
BAC	Business Advisory Committee
BMP	best management practice
BRT	bus rapid transit
BUG	Backlight, Uplight, and Glare
CAC	Community Advisory Committee
CCAA	Candidate Conservation Agreement with Assurances
CEQ	Council on Environmental Quality
CFR	<i>Code of Federal Regulations</i>
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CO	carbon monoxide
CO ₂	carbon dioxide
Coordination Plan	<i>Coordination Plan for Agency and Public Involvement</i>
Corps of Engineers	U.S. Army Corps of Engineers
CPM	Crash Prediction Module
CSRA	cost and schedule risk assessment
dB	decibel
dba	decibel A-weighted
DBE	disadvantaged business enterprise
DHV	design hour volume
EIS	Environmental Impact Statement
ERP	emergency repair program
FCPC	Forest County Potawatomi Community
FCTS	Fiscally Constrained Transportation System

FDM	<i>Facilities Development Manual</i>
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GHG	greenhouse gas
HCS 2016	2016 Highway Capacity Software
HHS	U.S. Department of Health and Human Services
HOV	high-occupancy vehicle
I-41	Interstate 41
I-43	Interstate 43
I-94	Interstate 94
I-794	Interstate 794
I-894	Interstate 894
ICE	Infrastructure Carbon Estimator
IHSMD	Interactive Highway Safety Design Model
KOP	key observation point
LED	light-emitting diode
LOC	Local Officials Committee
LPA	locally preferred alternative
MATC	Milwaukee Area Technical College
MCTS	Milwaukee County Transit System
MICAH	Milwaukee Inner-City Congregations Allied for Hope
MIS	major investment study
MMSD	Milwaukee Metropolitan Sewerage District
mph	miles per hour
MPO	metropolitan planning organization
MPS	Milwaukee Public Schools
MSAT	mobile source air toxics
NAAQS	National Ambient Air Quality Standards
National Register	National Register of Historic Places
NBI	National Bridge Inventory
NCHRP	National Cooperative Highway Research Program
NEPA	National Environmental Policy Act

NHL	National Historic Landmark
NHPA	National Historic Preservation Act
NO ₂	nitrogen dioxide
NO _x	nitrogen oxides
O ₃	ozone
Pb	lead
PBO	Programmatic Biological Opinion
PCB	polychlorinated biphenyl
PIM	public involvement meeting
PM ₁₀	particulate matter with aerodynamic diameter equal to or less than 10 micrometers
PM _{2.5}	particulate matter with aerodynamic diameter equal to or less than 2.5 micrometers
POAQC	Project of Air Quality Concern
POM	polycyclic organic matter
ppb	parts per billion
ppm	parts per million
ROD	Record of Decision
RPBB	rusty patched bumble bee
RTA	regional transit authority
SC-GHG	social costs of greenhouse gas
SEWRPC	Southeastern Wisconsin Regional Planning Commission
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SOHI	South of Highland
Stadium District	Southeast Wisconsin Professional Baseball Park District
TAC	Technical Advisory Committee
TAZ	traffic analysis zone
TCGP	Transportation Construction General Permit
TDM	transportation demand management
TIF	tax increment financing
TIN	Target Investment Neighborhood
TIP	Transportation Improvement Program

TLE	temporary limited easement
TMDL	total maximum daily load
TMP	transportation management plan
TNM	Traffic Noise Model
TOD	transit-oriented development
TRB	Transportation Research Board
TSM	transportation systems management
TSMO	transportation systems management and operations
TTAC	Transit Technical Advisory Committee
Uniform Act	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended
USC	United States Code
USDOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
US 41	U.S. Highway 41
US 45	U.S. Highway 45
UWM	University of Wisconsin–Milwaukee
VA	United States Department of Veterans Affairs
VMT	vehicle miles traveled
vpd	vehicles per day
WDNR	Wisconsin Department of Natural Resources
WIS	Wisconsin State Highway
WisDOT	Wisconsin Department of Transportation
WISPIRG	Wisconsin Public Interest Research Group
YOE	year of expenditure