### ENVIRONMENTAL EVALUATION OF FACILITIES DEVELOPMENT ACTIONS

**Wisconsin Department of Transportation (WisDOT)**

**DT2094**

**1/2016**

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**BASIC SHEET 1 – PROJECT SUMMARY**

<table>
<thead>
<tr>
<th>Project ID</th>
<th>2769-03-00 and 2769-03-01</th>
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<tbody>
<tr>
<td>RR:</td>
<td>2769-03-01/02/03</td>
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**Construction ID**

| 2769-03-70 |

**Project Milepoint**

| 2759-03-00/01: Calhoun Road to Pilgrim Road |
| 2759-03-01/02/03: Pilgrim Road to East County Line |

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**Route Designation (if applicable)**

- County Trunk Highway M
- National Highway System (NHS) Route: Yes

**Project Title**

| North Avenue |

**Nearest Community**

| City of Brookfield |

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**Project Location**

| Section / Township / Range
| Town 7N Range 20E, Sections 13, 14, 15, 22, 23, 24 |

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**Funding Sources (check all that apply)**

- Federal: ☒
- State: ☐
- Local: ☒

**Estimated Project Cost and Funding Source (state and/or federal). Year of Expenditure (YOE) dollars include delivery cost. See Table 1 in Section 1.1**

**Real Estate Acquisition Portion of Estimated Cost (YOE)**

See Table 1 in Section 1.1 Project Status, below.

**Utility Relocation Portion of Estimated Cost (YOE)**

See Table 1 in Section 1.1 Project Status, below.

**Right of Way Acquisition**

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**Functional Classification of Existing Route (FDM 3-6-2)**

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<td>Major Collector</td>
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**WisDOT Project Classification (FDM 3-6-2)**

- Resurfacing: ☒
- Pavement Replacement Reconstruction Expansion: ☐
- Bridge Rehabilitation: ☐
- Bridge Replacement: ☒
- "Major" Project (thero are both state and federal majors): ☐
- SHRNM: ☐
- Reconstruction: ☐
- Preventive Maintenance: ☐
- Safety: ☐
- Other – Describe Expansion, Bridge and Right of Way: ☐

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**FHWA Draft Type 3c Categorical Exclusion (CE) WisDOT Draft Environmental Report (ER). No significant impacts indicated by Initial assessment.**

- FHWA/WisDOT Draft Environmental Assessment (EA). No significant impacts indicated by Initial assessment.

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

- After reviewing and addressing substantive public comments, updating the Draft CEER or Draft EA and coordinating with other agencies, its determined this action:
  - WILL NOT significantly affect the quality of the human environment. This document is a Final CE/Final ER.
  - WILL NOT significantly affect the quality of the human environment. This document is a Final EA/Finding of No Significant Impact.
  - Has potential to significantly affect the quality of the human environment. Draft Environmental Impact Statement (EIS) required.

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**Kelly Rehberg, planner, CH2M Jacobs**

**Signature – Director, Bureau of Technical Services**

**Date – mm/dd/yy**

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**Kelly Rehberg, planner, CH2M Jacobs**

**Signature – Director, Bureau of Technical Services**

**Date – mm/dd/yy**

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**Date – mm/dd/yy**

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**Program Delivery Engineer, **

**GARY MICHAEL MARTINDALE JR**

**Signature – Director, Bureau of Technical Services**

**Date – mm/dd/yy**

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**Program Delivery Engineer, **

**GARY MICHAEL MARTINDALE JR**

**Signature – Director, Bureau of Technical Services**

**Date – mm/dd/yy**
ENVIRONMENTAL ADDENDUM A

Wisconsin Department of Transportation

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Total Length of Center Line of Existing Roadway</th>
<th>Length of This Alternative</th>
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<tbody>
<tr>
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1. **Date(s) of Public Notice:** December 5, 2018 and January 9, 2019 (*West Now*); December 7, 2018 and January 7, 2019 (*Daily Reporter*); December 8, 2018 and January 4, 2019 (*Waukesha Freeman*)

2. **In:** *Name of Newspaper*: *West Now, Daily Reporter, Waukesha Freeman*

3. **Dates Environmental Assessment made available to public:**
   - From November 8, 2018
   - To January 23, 2019

4. **Public Hearing:**
   - ☑️ Was held on **January 9, 2019**
   - ☐ Was not required, explain: ______________________________
   - ☐ Opportunity was given but no hearing was held.
   - ☐ No requests for a public hearing were received.
   - ☐ Requests for a public hearing were not substantial.
   - ☐ Was held on **January 9, 2019**

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

   On November 8, 2018, the Environmental Assessment (EA) was available for review on the project’s website. Beginning December 4, 2018, the EA was available for review at the Brookfield and Elm Grove libraries, Waukesha County Department of Public Works, Wisconsin Department of Transportation (WisDOT) Southeast Region office, and WisDOT Bureau of Technical Services.

   On December 5, 2018, individual notices announcing the public hearing date and availability of the EA were sent to tribes, local and state government officials, and federal, state, and local agencies. One December 19, 2018, individual postcards were sent to the project mailing list. The project mailing list includes over 300 project-area residents and other interested stakeholders. Waukesha County issued a press release on December 4, 2018. The following legal notices and paid advertisements were published in local newspapers:

   **Legal Notice:**

<table>
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<tr>
<th>Publication</th>
<th>Published 30 days prior</th>
<th>Published within 14 days</th>
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<tbody>
<tr>
<td>Daily Reporter</td>
<td>Friday, December 7</td>
<td>Monday, January 7, 2019</td>
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<tr>
<td>West Now (local Journal Sentinel)</td>
<td>Wednesday, December 5</td>
<td>Wednesday, January 9, 2019</td>
</tr>
<tr>
<td>Waukesha Freeman (official paper of Waukesha County)</td>
<td>Saturday, December 8</td>
<td>Friday, January 4, 2019</td>
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   **Paid Advertisements:**

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<td>Daily Reporter</td>
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<tr>
<td>West Now (local Journal Sentinel)</td>
<td>Wednesday, December 26, 2018</td>
<td>Wednesday, January 2, 2019</td>
</tr>
<tr>
<td>Waukesha Freeman (official paper of Waukesha County)</td>
<td>Wednesday, December 19, 2018</td>
<td>Wednesday, January 2, 2019</td>
</tr>
</tbody>
</table>

   In addition, the project website, Waukesha County website, and City of Wauwatosa website posted information on the public hearing and availability of the EA.
Comments from twenty-nine individuals were received during the EA availability period. Some individuals commented on more than one aspect of the project.

- Eleven commenters opposed the project due to:
  - Belief that traffic and crash issues do not justify a four-lane road and could be addressed by improvements that do not expand North Avenue to four lanes, or;
  - The project's environmental impact.
- Seven commenters supported the project.
- The remaining eleven commenters did not specifically state support or opposition for the project.

Seven commenters included comments related to site-specific property impact concerns, mostly from members of the Unitarian Universalist Church. Another seven commenters had site-specific design concerns (bike accommodations, lack of a median opening at a side street, etc.). These and other individual comments are listed and responded to on the following pages.

- Comment 1: traffic problems can be addressed with minimal impact on the environment by redesigning key intersections (Pilgrim Road and Lilly Road) and updating the railroad crossing signals.
  Response: This is one of six comments that stated more modest improvements could address traffic and crash problems and a four-lane roadway is not needed. The commenter does not state what should be included in the redesign of these intersections. The two-lane segments of North Avenue between Pilgrim Road and Lilly Road are congested today (level of service E) and will become more congested in the future. Waukesha County evaluated a No-Build Alternative and a three-lane alternative, and these alternatives would not meet the purpose of or the need for this project. These alternatives do not result in the traffic capacity or safety improvements that the four-lane alternative provides (see Section 2 of the EA, pages 18-22). Improvements to key intersections will not solely address the traffic issues along North Avenue. North Avenue already widens out to four lanes at the Pilgrim Road and Lilly Road intersections—those intersections are not where the biggest traffic and safety problems occur. Section 1.3.1.1 (Pages 8 and 9) and section 1.3.4.2 (page 16-17) of the EA documents these issues.

- Comment 2: widening is not needed because forecasted traffic volumes and level of service ratings have been “materially overstated due to the WisDOT forecast model included a 0.5%/year forced growth factor. Actual traffic volume counts on North Avenue are trending downward since 2000.”
  Response: Waukesha County used the most recent traffic counts that were collected specifically for the project and projected them with the approved WisDOT forecast methodology, documented in the traffic study. The study looks at historic traffic volumes as a part of the forecasting procedure. The North Avenue (CTH M) Traffic and Safety Study (September 2016) is available on the project website. Appendix 2 documents the traffic forecast developed for this project and why Waukesha County relied upon WisDOT’s traffic forecast. Appendix 2 also provides background on WisDOT’s traffic forecasting methodology. It is an over-simplification to say that WisDOT uses a “forced” or assumed 0.5 percent annual increase. From Appendix 2:

  “WisDOT staff uses the Traffic Analysis Forecasting Information System (TAFIS) program for developing the traffic forecasts for state trunk highways. The TAFIS program runs a series of statistical regressions on historic AADT [average annual daily traffic] counts and forecasts a growth rate based on the most recent traffic count. The Box-Cox regression is the most statistically robust regression type. The Box-Cox regression means that traffic projections as count sites will increase at a decreasing rate into the future. Growth rates vary depending on the traffic count site’s history and the regression’s statistical significance. TAFIS chooses the most statistically significant increasing regression line for the projection. The WisDOT uses essentially the same methodology for developing traffic forecasts for county trunk highways, such as W. North Avenue...Additional information regarding the WisDOT traffic forecast methodology can be found in Chapter 9 of the WisDOT Transportation Planning Manual.”

Traffic counts on North Avenue have indeed decreased since 2000, according to WisDOT traffic counts. Nonetheless, the existing (2015) traffic counts, between 13,400 and 15,600 put North Avenue close to the threshold of requiring four lanes to accommodate existing traffic. Section 1.3.1 of the EA documents the need for additional capacity. Traffic volumes can fluctuate depending on many factors including, but not limited to:

- Economy – GDP, gas prices, disposable personal income, etc.
- Population and employment
- Adjacent roadway capacity – adjacent roadway construction, or improvements, etc.
• Time of year – were ADT counts collected while schools was in session etc.

Since the 2000’s improvement projects have been completed to the major east-west roadway parallel to North Avenue. Both Bluemound Road (US18) and Capitol Drive (STH190) were improved which factor into the ADT decrease along North Ave. When the 2015 traffic counts were collected both projects were complete. Additionally, there was a recession between the historic counts and the 2015 counts that may have added to the reduction between the early 2000’s and the 2015 counts (https://fred.stlouisfed.org/series/M12MTVUSM227NFWA). VMT nationally decreased following the great recession in December 2007 through 2009. VMT was relatively level between 2009-2014 but has been increasing over the last 4-5 years. Similar trends have been seen in Wisconsin.

• Comment 3: supports the project because it will improve safety, make left turns easier and safer, and reduce congestion, and improve bike/pedestrian accommodations.
Response: This was one of seven comments that support the project for reasons as stated in the Environmental Assessment.

• Comment 4: safety concerns; drivers will drive faster on the wider four-lane road than they do today on a 2-lane road. Also, drivers that currently use Bluemound Road or Capitol Drive will be drawn to North Avenue, increasing traffic on North Avenue.
Response: Drivers tend to drive at the speed at which they feel safe. Several factors influence this, not simply the number of lanes. Traffic volumes, the number of access points, frequency of stop signs or traffic signals, terrain, all play a factor. At the request of several project advisory committee members, Waukesha County conducted a speed study at four locations on North Avenue at the request of several advisory committee members in fall 2015. The average speed was between 37 and 40 miles per hour. The posted speed limit is 35 miles per hour. Bluemound Road and Capital Drive are both state highways located approximately 2 mile south and north of North Avenue, respectively, with posted speed limits of 45 miles per hour. A modest amount of drivers may divert to North Avenue from Bluemound Road or Capital Drive, however, traffic volume forecasts takes this into account for future volumes.

• Comment 6: increased volumes, faster speeds, and closer proximity to residences will increase noise pollution. More street lights will increase light pollution.
Response: A noise analysis was completed for this project. The results are found in the EA on page 132 (Factor Sheet D-3). Some residences will experience a traffic noise impact as a result of the project. Due to the amount of driveways and crossroads along North Avenue, noise mitigation is not feasible or reasonable. The complete noise report is on the project website www.northavenuereconstruction.org. Regarding light pollution, there are light posts today at all cross streets. Lights will continue to be located at all cross streets, but the number of street lights will not increase.

• Comment 7: concern over the loss of mature trees due to aesthetic concerns.
Response: Trees in the roadway right-of-way may be removed as part of this project. This will affect the aesthetics of the corridor. Factor Sheet B-9, Aesthetics, on page 100 of the EA notes that the project will result in the removal of any vegetative buffers between the road and adjacent homes if that vegetative buffer is located within the roadway right-of-way.

• Comment 8: lack of transparency, lack of opportunities for public input, more effort should have been made to inform adjacent residents of the project (2 comments)
Response: Waukesha County held three public involvement meetings, a public hearing, and hosted a web site for the project. For each public meeting and hearing, Waukesha County sent meeting notices to the entire project mailing list which includes all residents and property owners on North Avenue, issued press releases, and posted a notice to the website. Waukesha County formed an advisory committee of North Avenue residents, business owners and other nearby residents suggested by local aldermen. This group has met nine times, to date. In addition, several meetings were held with business owners to discuss specific access concerns. Outreach is documented on pages 26-29 of the EA.

• Comment 9: loss of wetland is an aesthetic and drainage concern.
Response: About 1 acre of wetland will be filled as a result of the project and will be mitigated in accordance with WisDOT guidelines. While this may be an aesthetic concern for some it will not affect drainage.
Comment 10: safety ratings are within “state norms” which means we do not need to disturb the environment with an expanded four-lane divided roadway

Response: The Calhoun Road to Pilgrim Road segment of North Avenue is higher than the state-wide crash averages for similar roadways. Also, there are other reasons for widening North Avenue besides safety, including improving roadway deficiencies and pedestrian and bicycle accommodations. See Section 1.3 of the EA, pages 6-15.

Comment 11: disappointed that alternatives have been dismissed already.

Response: Several alternatives were developed early in the study. As those alternatives were evaluated against their ability to meet the purpose and need of the study, their impacts, cost, and input from the public some were eliminated from consideration (See Section 2 of the EA, pages 18-22). Waukesha County identified the four-lane divided alternative as its preferred alternative, but that decision is not final until the Finding of No Significant Impact is signed. The FONSI represents WisDOT and Federal Highway Administration approval of the County’s preferred alternative.

Specific design concerns:

Comment 12: there should be a pedestrian crossing at Hollyhock Lane.

Response: There will be a crosswalk at Hollyhock Lane. Waukesha County is working with the City of Brookfield and Village of Elm Grove to determine other locations for crosswalks.

Comment 13: 6-foot-wide off-street bike accommodations not a good idea if intended for two-way travel. Should be 8-feet-wide.

Response: There will be off-street bike accommodations on both sides of North Avenue. While two-way travel will be allowed, each is intended for single direction travel. Waukesha County recently changed the design from a mix of 6- and 8-foot-wide segments to a consistent width of 6 feet, based on input from WisDOT Southeast Region bike and pedestrian coordinator. All off-street pathways and sidewalks in Brookfield are intended for multi-modal users including pedestrians and casual bicyclists. Brookfield has found that these volumes are relatively benign and rarely results in conflicts amongst users. Avid cyclists almost exclusively use the on-road bicycle accommodations in Brookfield, which are included with this project.

Comment 14: on-street bike accommodations should be asphalt, not concrete, to avoid joints in bicyclists path.

Response: After receiving this comment Waukesha County’s project team discussed the issue and decided to keep the 5-foot concrete “lane” for bicyclists. Waukesha County used this design successfully on its recent Muskego Avenue reconstruction. It provides a 5-foot-wide area for bicyclists that is free of any longitudinal joints (parallel to the bicyclists path) which are dangerous because narrow bicycle tires can get stuck in them. Also, the concrete pavement next to the darker asphalt pavement will help drivers and bicyclists see the delineation between the pavement meant for cars vs bicycles. The disadvantage of this approach is that there will be latitudinal joints (across the bicyclists path) every 20 feet so. This may create a bumpier ride than an asphalt surface. Waukesha County weighed safety concerns higher than ride quality and will build the 5-foot concrete bicycle “lane”.

Comment 15: eliminate the eastbound right-turn lane at Lilly Road to avoid property impacts and because very few cars make this right turn because Lilly Road ends a few blocks south of North Avenue.

Response: Waukesha County has agreed to remove the eastbound North Avenue right turn lane at the Lilly Road intersection from the design due to the low number of cars that make this turn.

Comment 16: concern over a potential stormwater pond on the south side of North Avenue at Mt. Kisco Drive.

Response: The stormwater pond on the south side of North Avenue at Mt. Kisco Drive has been removed from the design.

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1 A stormwater pond in the southwest corner of North Avenue and Mt. Kisco drive was added after the approval of the EA. This pond has since been removed from design, resulting in no change from the EA.
• Comment 17: the project is not addressing delays from train crossings, which is the biggest source of traffic delay. 
  Response: While the project will not reduce delay from the train crossings, it will provide some modest benefit. The crossing will be replaced, which will improve the warning signal reliability. The long queue of cars will not be as long as it is today because there will be four lanes for cars to queue. This means that the queue will not be as long, which means not as many cross streets and driveways will be blocked by traffic due to train crossings.

• Comment 18: the project was not included in SEWRPC’s Feb 2000 A Stormwater and Floodland Management Plan for the Dousman Ditch and Underwood Creek Subdrainage Areas in the City of Brookfield and Village of Elm Grove which means the environmental impact of the North Avenue project was not included in the flood remediation project that now protects our homes and lead to FEMA flood maps being redrawn. 
  Response: The increase in impervious area of the reconstructed North Avenue is a very small percentage of the overall impervious area in the Dousman Ditch and Underwood Creek subdrainage areas. The project is expected to increase impervious area by approximately 8.2 acres. The document sited in the comment projects that urban areas will consist of 81 percent (1,807 acres) of the Dousman Ditch subwatershed and 86 percent (4,035 acres) of the Underwood Creek subwatershed. Nonetheless, the North Avenue widening is being designed to manage all stormwater so that run-off does not increase flooding potential. In fact, the design will decrease peak flow from North Avenue to Underwood Creek by 0.7 cubic feet per second. Also, stormwater features included in the project will mitigate additional runoff consistent with MMSD chapter 13 stormwater rules. Lastly, the SEWRPC report was a key part of developing the flood remediation project but it is not a detailed design. Much like SEWRPC’s Regional Transportation System Plan recommends widening North Avenue, but it does include a detailed design of the project. Therefore, just because the 19-year-old SEWRPC stormwater plan for Dousman Ditch and Underwood Creek does not mention the North Avenue widening does not mean that widening North Avenue will adversely affect Elm Grove’s investment in flood management.

• Comment 19: concern over no median opening at Brook Springs Drive 
  Response: The design does not include a median opening at Brook Springs Drive because of its proximity to Calhoun Road. The westbound North Avenue left-turn lane to Calhoun Road begins east of Brook Springs Drive, and it is not a safe design to have a median opening in the same location as a left turn lane.

• Comment 20: please make the necessary improvements so that the railroad crossings can be a Quiet Zone. 
  Response: The design of the railroad crossing on both North Avenue and Pilgrim Road will meet Federal Railroad Administration (FRA) requirements for a Quiet Zone. It is Waukesha County’s understanding that the City of Brookfield will apply to FRA for a Quiet Zone designation in the future, when other Brookfield road crossings of this rail line are brought up to Quiet Zone standards.

• Comment 21: Highland Avenue intersection with North Avenue not adequate for the amount of traffic that will travel through there. 
  Response: This project will dramatically improve the safety of the North Avenue/Highland Avenue intersection. The reconstructed intersection will operate at an acceptable level of service through the project’s design year (2039). A median will be provided, and the median opening at this intersection will give left-turning vehicles a safe place to wait for an opening in traffic to complete their turn. Also, the hill west of Highland Avenue will be lowered a few feet which will allow drivers on Highland Avenue to see further west for oncoming traffic than they can today. Lastly, the westbound North Avenue lane drop at Highland Avenue will be eliminated; two lanes of westbound traffic will continue through the intersection, improving safety.

• Comment 22: at signalized intersections there should be a longer period when all directions have a red light to minimize the number of people that run red lights. General comment, not related solely to North Avenue. 
  Response: All signals will be optimized and retimed as part of the North Avenue improvement project. The signals will all be actuated and will run with timings that allow for the most efficient level of service for the overall intersection consistent with engineering design standards.

• Comment 23: make it safer for bicyclists. 
  Response: The 5-foot on-road bicycle accommodations and 6-foot wide sidewalk separated from traffic will be provided on both sides of North Avenue as part of the project.
• Comment 24: prefer well-maintained vegetated medians with trees.
Response: The medians will be vegetated. The exact type of vegetation has not been determined yet. No
trees are planned for the medians at this time, although the City of Brookfield may consider adding trees
and/or landscaping at a future date.

• Comment 25: construction kills businesses, and if North Avenue is going to be closed while the railroad crossing
is replaced it better be well planned out so that business owners do not lose their business.
Response: Waukesha County will keep North Avenue open so that customers can get to North Avenue
businesses. Waukesha County will communicate the timing of the closure and overall construction
updates so that businesses can prepare themselves and their patrons as best as possible for the
construction and the brief closure. WisDOT developed a program called ‘In This Together’
(https://wisconsindot.gov/Pages/projects/in-together/default.aspx) to help businesses and customers
prepare for and survive road construction projects.

• Comment 26: four lanes will bring more speed and bring more thieves to the neighborhood.
Response: North Avenue will be less congested after the project is built for vehicular travel in general.
There are many factors that influence the location and the occurrence of crimes. It is too speculative to
say the wider road will increase crime rates in adjacent neighborhoods.

• Comment 27: the additional road width will limit access to Wirth Park and bike paths for those residents south of
North Avenue.
Response: Although the road will be wider, it will have a median which will allow pedestrian, and drivers,
to cross half the road and then wait for the other direction of travel to clear to complete the road crossing.
There is also a proposed crosswalk at the park entrance which does not exist today.

• Comment 28: the wider road will destroy property values and quality of life
Response: Property owners that have property acquired from them will be compensated per the Uniform
Act. Quality of life is subjective. While a wider road may be a detriment to one person's quality of life, the
safety and decreased congestion may improve someone else’s quality of life. Quality of life varies by
individual and the EA addresses the impacts and benefits of the project including noise, aesthetic,
community and residential impacts.

• Comment 29: Capitol Drive and Bluemound Road are already four lanes, Brookfield does not need another four-
lane east-west road.
Response: Existing traffic volumes and forecasted future traffic volumes indicate that additional capacity
is needed on this segment of North Avenue, despite other east-west multi-lane roadways in the area.
Section 1.3.1 of the EA discusses the need for additional capacity.

• Comment 30: the problems on North Avenue can be solved less expensively, like bump outs to allow drivers to
pass vehicles waiting to make left turns off of North Avenue.
Response: Providing bump outs or a bypass lane at the numerous cross streets along North Avenue
would result in a road constantly alternating between two and four lanes. This is a safety issue the
Preferred Alternative eliminates.

• Comment 31: disruptions from construction far outweigh the small benefits of the project.
Response: Waukesha County plans to keep North Avenue open during construction except for a few
weeks for a portion of North Avenue when the railroad crossing is replaced. Property owners and drivers
will experience noise and other construction-related impacts. Along with the improved safety and
decrease in congestion, once reconstruction is complete, the roadway is expected to last at least 50
years with only routine maintenance taking place during that time, such as occasional asphalt overlays.
Therefore, in addition to the benefits listed in the EA, once reconstruction is complete there will not be
construction for a long time.

• Comment 32: building a roundabout at the North Avenue/Brookfield Road intersection (one mile west of Calhoun
Road) eliminated congestion at that intersection. Roundabouts may not work at Pilgrim Road/North Avenue
intersection, but additional lanes are not the solution.
Response: Waukesha County evaluated roundabouts at the Pilgrim Road and Lilly Road intersections and
decided that signals would be a more effective solution. See Section 2.2.2 on page 22 of the EA. The
additional lanes and reconstructed intersections will operate at an acceptable level of service D or higher today and in the future design year 2029. See response to comment 1 above for other alternatives considered that did not include additional lanes.

- Comment 33: adding lanes near Dixon Elementary, just north of North Avenue near Pilgrim Road, will further discourage students from walking to school.
  
  **Response:** As part of the project, sidewalks will be built along both sides of North Avenue, which will make it much safer for students to walk or bike to school if they choose. Waukesha County and the City of Brookfield and Village of Elm Grove are discussing locations of crosswalks across North Avenue including at Marilyn Drive and Wirth Park.

- Comment 34: project is not fiscally prudent. Would like to know how much Brookfield and Elm Grove resident are paying for the project.
  
  **Response:** The project is being funded primarily with federal funds. Waukesha County has budgeted for its local share of this project several years in advance. Elm Grove residents are not paying anything for this project. Brookfield is paying for some features like additional sidewalks and crosswalks at cross-street intersections. Brookfield is also paying to install new water main to serve existing properties and to upgrade some sanitary sewers under North Avenue and move others that need to move to accommodate the road construction.

- Comment 35: noise study doesn’t show what the noise level will be when the trees are removed.
  
  **Response:** The noise study assumes that vegetation does not provide any buffer, or reduction in noise, as is the standard.

- Comment 36: concerned about well water quality being affected by construction.
  
  **Response:** Waukesha County has no reason to think that the road’s construction, which will take place on the ground surface and a few feet down, will affect nearby well water.

- Comment 37: avoid the “trap zone” at railroad crossing where, currently, westbound North Avenue cars are kept at a red light while the train is crossing even though the train is behind them.
  
  **Response:** The signal design will eliminate this issue from occurring for westbound North Avenue drivers.

**Property-specific concerns**

- Comment 38: would like a left-turn lane from westbound North Avenue to Unitarian Universalist Church
  
  **Response:** The design will be modified to provide a left-turn lane at the eastern most median opening to this property.

- Comment 39: concern that the property acquisition from a currently vacant lot owned by the Unitarian Universalist Church will limit the church’s ability to develop the property.
  
  **Response:** The church will be compensated for the property Waukesha County will acquire from this vacant lot. Waukesha County is not aware of a specific development planned or designed for this property, so the church will need to modify any future plans to fit the remaining parcel.

- Comment 40: commenter asked if his evergreens will remain on his property.
  
  **Response:** All trees on property acquired by Waukesha County, either permanently or a temporary easement, for this project may be removed. Trees that remain on private property will not be affected.

6. **Describe selected alternative:**

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

Since publication of the EA, input received during the comment period, policy changes, and design refinement have resulted in the revisions to the EA summarized below. Appendix A contains the updated/revised EA pages, with the revisions highlighted. The page numbers below indicate the page in the EA where the original information is found.

Revisions to the Preferred Alternative

In response to public comments, agency coordination, and further design refinements since the publication of the EA, the following changes have been made to the preferred alternative:

- The preferred alternative would require approximately 6.4 acres of right-of-way, 4.8 acres of temporary limited easement, and 0.2 acre of permanent limited easement\(^2\). This is a decrease from what was listed in the EA (6.5 acres of right-of-way, 12.5 acres of temporary limited easement, and 1.5 acres of permanent limited easement) due to further design refinements.
- The path/sidewalk changed from a mix of 6- and 8-foot wide segments on both sides of the road to a consistent 6-foot wide sidewalk on both sides of the road along the length of the project. The original mix of 6- and 8-foot wide sidewalks is not desirable for this project due to the constant variation in width that would occur along the length of the project. Also, 8-foot wide sidewalks are not adequate to be considered a multi-use path. To minimize impacts and provide safer accommodations, the sidewalk will be a consistent 6-feet wide on both sides of the road.
- Removal of the right-turn lane from eastbound North Avenue to southbound Lilly Road.
- Additional left-turn lane added on westbound North Avenue to the Unitarian Universalist Church.
- Additional stormwater detention basin will be located in the northwest corner of North Avenue and Hollyhock Lane. This will create a total of three stormwater detention basins compared to two listed in the EA.

Environmental Assessment Revisions

Page 19, Basic Sheet 3 Section 2.1.2 Four-Lane Divided Roadway (Preferred Alternative): Updated pedestrian and bicycle accommodations to include a 6-foot wide sidewalk on both sides of the road along the length of the project as described above.

Page 23, Basic Sheet 3, Section 3 Description of Proposed Action: Updated pedestrian and bicycle accommodations to include a 6-foot wide sidewalk on both sides of the road along the length of the project as described above. Also updated the amount of right-of-way needed for the project to 6.4 acres compared to 6.5 as listed in the EA and updated that the project will require one residential relocation compared to two residential relocations as listed in the EA.

Page 30, Basic Sheet 3 Section 12 Local/Regional/Tribal/Federal Government Coordination: Updated coordination with the City of Brookfield and Village of Elm Grove

Page 32, Basic Sheet 5 Department of Natural Resources: Additional meetings and coordination regarding stormwater management added

Page 32, Basic Sheet 5 State Historic Preservation Officer (SHPO): Date added with signature of memorandum of agreement. See Appendix B for agency coordination.

Page 32, Basic Sheet 5 U.S. Fish and Wildlife Service (USFWS): Added information regarding an updated species list containing the rusty patched bumble bee and updated Section 7 coordination. See Appendix B for agency coordination.

Page 33, Basic Sheet 5 Advisory Council on Historic Preservation (ACHP): Updated to indicate that ACHP will not be a consulting party.

Page 34, Basic Sheet 6 Alternatives Comparison Matrix: Matrix revised to reflect the revised impacts of the preferred alternative.

Page 38, Basic Sheet 8 Environmental Commitments D-5 Stormwater: Updated to reflect three stormwater ponds in the corridor rather than two as listed in the EA.

\(^2\) The City of Brookfield and We Energies are considering permanent limited easements on the Daubner Farmstead property for underground utilities. However, these are separate from the proposed project and will not impact the Section 106 findings of the property with regards to the North Avenue reconstruction.
Page 40, Basic Sheet 9 C-7 Threatened and Endangered Species: Added information regarding impacts to the rusty patched bumble bee and updated Section 7 coordination.

Page 46, Factor Sheet B-1 Community or Residential Brookfield: Question 6 revised to include the new left-turn lane to the Unitarian Universalist Church.

Page 51, Factor Sheet B-1 Community or Residential Elm Grove: Questions 10-18 have been revised to indicate that there will be no residential relocations within the Village of Elm Grove, rather than one relocation as reported in the EA.

Page 102, Factor Sheets C-1a-d Wetlands: The total amount of wetlands filled, approximately 1.0 acres, has not changed from the EA; however, impacts to individual wetlands have changed. Factor sheets revised showing updated wetland impacts and mitigation. Question 8 on the water quality certification status updated.

Page 123, Factor Sheet C-7 Threatened and Endangered Species: An updated official species list in January 2019 identified the Rusty Patched Bumble Bee in part of the project area. Waukesha County coordinated with the U.S. Fish and Wildlife Service regarding a “may affect, not likely to adversely affect” determination on the rusty patched bumble bee. Factor sheet revised to reflect the updated species status and updated coordination.

Page 138, Factor Sheet D-5 Stormwater: Revised to indicate three retention basins will be included in the project, rather than two as reported in the EA. The third retention basin is located on the corner of North Avenue and Hollyhock Lane.

Completion of the National Historic Preservation Act Section 106 Process: The EA noted that the Memorandum of Agreement was being circulated for signature and included a draft of the document. SHPO signed the Memorandum of Agreement on April 5, 2019 and FHWA signed on April 10, 2019. A copy of the final, signed document is included in Appendix B.
2.1.2 Four-Lane Divided Roadway Alternative (Preferred Alternative)

Under the Four-Lane Divided Roadway Alternative, North Avenue would be reconstructed as an urban four-lane divided roadway from Calhoun Road to 124th Street (Exhibit 9). The roadway would consist of 11-foot-wide inside lanes, and its 14-foot-wide outside lanes would provide bicycle accommodations. The median would be 24 to 30 feet wide, with median openings and left turn lanes at selected cross streets. Intersections would be reconstructed to tie in with the new North Avenue alignment. Signal timing at the signalized intersections would be adjusted to optimize operations and address safety concerns. Additionally, this alternative would provide sidewalk or multi-use path on both sides of the roadway for pedestrians and bicyclists.

The Four-Lane Divided Roadway Alternative meets the purpose and need because it:

- **Addresses the traffic operational needs of North Avenue:**
  This alternative would accommodate existing and future traffic and ensure the corridor functions with an acceptable level of service D or better (numeric level of service less than 5.0). Table 14 shows the expected section level of service for the Four-Lane Divided Roadway Alternative (Preferred Alternative). Exhibit 10 illustrates the Four-Lane Divided Roadway Alternative Level of Service.

- **Addresses the safety operational needs of North Avenue:**
  The preferred alternative would accommodate safe turning movements. The four lanes of through traffic allows for vehicles to disperse between two lanes, thereby providing more gaps to reduce delays for vehicles entering North Avenue. The proposed median would improve operations and provide safety enhancements that help reduce specific types of crashes. The median would remove left-turning vehicles from the through traffic lanes by providing left-turn lanes, and allow for a safer two-stage crossing (i.e., allowing motorists to travel halfway when making a left turn) at stop-controlled intersections.

- **Provides safe multimodal (pedestrian and bicycle) transportation**
  This alternative would provide a 6-foot sidewalk on both sides of the roadway for pedestrians and bicyclists. Additionally, the median would also provide refuge and shorter crossing distances for pedestrians.

- **Addresses roadway deficiencies**
  This alternative would replace the deteriorating pavement and correct design deficiencies such as substandard or unusual intersection configurations and vertical curves. This alternative would also provide a consistent roadway, eliminating the transitions between a 2- and 4-lane roadway.

Additionally, the median would provide an opportunity for stormwater management. The vegetated portions of the median would result in less new impervious surface and additional opportunities for stormwater management mitigation. The proposed median can serve as bioretention swales for volume control and water quality improvement.

This alternative is the Preferred Alternative because it meets the purpose and need with greater safety and less environmental impacts compared to the five-lane roadway with two-way left turn lane (TWLTL) alternative (discussed below) that also meet the project’s purpose and need. This alternative would cost approximately $26.0 million. For these reasons, the Four-Lane Divided Roadway Alternative is proposed for adoption because it is reasonable and feasible and does meet the proposed action’s purpose and need.

**TABLE 14**

<table>
<thead>
<tr>
<th>Four-Lane Divided Alternatives (2039) Section Level of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>At Calhoun Rd intersection</td>
</tr>
<tr>
<td>East of Calhoun Rd to West of Pilgrim Rd</td>
</tr>
<tr>
<td>At Pilgrim Rd intersection (with future Pilgrim Rd widened)</td>
</tr>
<tr>
<td>East of Pilgrim Rd to 147th St</td>
</tr>
<tr>
<td>147th St to west of Lilly Rd</td>
</tr>
<tr>
<td>At Lilly Road intersection</td>
</tr>
<tr>
<td>East of Lilly Rd to west of 124th St</td>
</tr>
<tr>
<td>At 124th St intersection (with future capacity improvements by City of Wauwatosa)</td>
</tr>
</tbody>
</table>

Notes:
Corridor level of service is based on North Avenue through movement at the signalized intersection for the four-lane sections. Corridor level of service for the two-lane sections is based on percent of free-flow speed.
EB = eastbound; WB = westbound

Page 19
3. Description of Proposed Action

The proposed action consists of reconstructing approximately 3 miles of North Avenue (County M) from Calhoun Road on the west and 124th Street (Waukesha/Milwaukee County Line) on the east (Exhibit 1). The Four-Lane Divided Roadway Alternative is the Preferred Alternative because it meets the project’s purpose and need (provide for current and future traffic volumes and address safety operations) and would have fewer impacts than the other alternative that also meets the project’s purpose and need.

The proposed improvements would include (Exhibits 16A-F and Appendix B):

- Reconstructing North Avenue as a consistent, four-lane divided roadway through the entire project corridor. This would involve expanding sections of North Avenue from the existing two-lane configuration to four-lanes.
- The roadway would consist of 11-foot inside lanes and 14-foot outside lanes that would accommodate bicycles. The proposed median would be 24 to 30 feet wide, with median openings at selected cross streets to allow turns. The locations of median openings would be further evaluated through the design process. Intersections along the project corridor would be reconstructed to tie in with the new alignment.
- Creating safer driving conditions by providing a median, removing left-turning vehicles from through traffic, providing two-stage crossing, and updating signal timing.
- Updating the drainage systems and provide new stormwater management.
- Providing pedestrian and bicycle accommodations with 6-foot sidewalks on both sides of the roadway for the entire corridor. Portions of these sidewalks would be designated as multi-use paths. Additional bicycle accommodations would be provided by a widened outside lane through the corridor.
- Replacing the existing pavement.
- Addressing several design deficiencies, such as substandard or unusual intersection configurations and vertical curves. Several hills along the corridor would be lowered slightly to improve sight distances.
- Replacing the bridge over Underwood Creek near Lilly Road and extending the culverts at the Pilgrim Road intersection.

The proposed action would require approximately 6.4 acres of new right-of-way, would maintain access to all properties and would require one residential relocation.

The National Highway System (NHS) consists of interconnected urban and rural principal arterials and highways that are important to the nation’s economy, defense, and mobility. The NHS routes are critical to the nation’s economy, defense, and mobility, providing a primary network for movement of goods and services through the nation. The NHS supplements the national interstate system. The NHS routes through southeast Wisconsin and a full map of the state of Wisconsin can be found in Appendix C. Principal arterials provide access between major population centers, airports, public transportation facilities, other intermodal transportation facilities, and other major travel destinations. These routes also serve interstate and interregional travel.

North Avenue is designated in the NHS as a principal arterial as part of MAP-21. As a principal arterial, North Avenue is considered a highly traveled route and serves as an important travel corridor. As part of the NHS, North Avenue is required to meet national design standards as set by the Federal Highway Administration.

North Avenue would remain open during construction except when the railroad crossing near Pilgrim Road is replaced. This full closure would last for several days to a few weeks. The signed detour route would be Pilgrim Road to Capitol Drive to WIS 100 to North Avenue (Exhibit 17). No improvements to the detour route are required. No temporary roadways or bridges would be required on the detour route. Due to the relatively short duration of the full closure, the short linear extent of the closure (just the railroad crossing) and the availability of other routes in addition to the signed detour route no adverse effects to businesses are anticipated. North Avenue would be open to local through traffic during construction other than during the railroad crossing replacement.

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11 The section between Lilly Road and Highland Drive would not be replaced rather it would be rehabilitated because the roadway is already four-lanes and the pavement is in relatively good condition.
12 The Moving Ahead for Progress in the 21st Century Act (MAP-21) is a funding and authorization bill to govern United States federal surface transportation spending. It was passed by Congress on June 29, 2012, and President Obama signed it on July 6, 2012.
12. **Local/regional/tribal/federal government coordination**

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

<table>
<thead>
<tr>
<th>Unit of Government (MPO, RPC, City, County, Village, Town, Tribal, Federal, etc.)</th>
<th>Coordination Correspondence Attached (Yes/No)</th>
<th>Coordination Initiation Date (m/d/yyyy)</th>
<th>Coordination Completion Date (m/d/yyyy)</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Brookfield Engineering/DPW</td>
<td>No</td>
<td>7/20/2015</td>
<td>Ongoing</td>
<td>Local officials meeting #1: 8/6/15 Bike/ped coordination meeting: 11/18/15 Local officials meeting #2: 3/10/16 Drainage meeting: 4/5/16 <strong>Continued coordination as the project progresses</strong></td>
</tr>
<tr>
<td>Village of Elm Grove Manager Engineer</td>
<td>No</td>
<td>7/20/2015</td>
<td>Ongoing</td>
<td>Local officials meeting #1: 8/6/15 Bike/ped coordination meeting: 11/18/15 Local officials meeting #2: 3/10/16 Drainage meeting: 4/5/16 <strong>Presentation at Village Board: 12/17/2019 Continued coordination as the project progresses</strong></td>
</tr>
<tr>
<td>Milwaukee Metropolitan Sewer District (MMSD)</td>
<td>No</td>
<td>2/23/2017</td>
<td>3/30/2017</td>
<td>2/23/2017: Meeting with MMSD to discuss the corridor and Lilly Road pond 3/30/2017: MMSD denied use of land for Lilly Road pond.</td>
</tr>
</tbody>
</table>

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

Most issues pertained to technical topics, including bike/pedestrian accommodations, drainage and storm water, real estate acquisition, railroad coordination, and roadway typical section elements. No substantive issues were identified.

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

Regular coordination meetings were conducted, seeking local insights and knowledge with respect to conditions and noted performance issues. Specific feedback was obtained on local preferences for multimodal facilities, storm water management, traffic factors (speed, safety and access to/from North Avenue), and resident/business concerns and preferences. All feedback was documented in meeting minutes, and ongoing coordination and collaboration occurred throughout the balance of the study timeline. This coordination will continue as the preliminary and final design for the preferred alternative progresses.

D. Indicate any unresolved issues or ongoing discussions:

Design details will continue to be discussed, as will local participation in construction elements, where applicable.

13. **Public Hearing Requirement**

- This document is an Environmental Assessment.
  - A Notice of Opportunity to Request a Public Hearing **will be** published, or,
  - A Public Hearing **will be** held.

- This document is a Type 2c Categorical Exclusion / Environmental Report.
  - A substantial amount of right-of-way **will** be acquired.
  - The proposed action **will** substantially change the layout or functions of connecting roadways or of the facility being improved.
  - The proposed action **will** have a substantial adverse impact on abutting property.
  - The proposed action **will** have other substantial social, economic, environmental effects.
  - The department has made a determination that a public hearing is in the public interest.

- None of the above boxes have been checked, it has therefore been concluded that a Notice of Opportunity to Request a Public Hearing **will not** be published and a Public Hearing **is not** required, or,
  - A Notice of Opportunity to Request a Public Hearing **will be** published, or,
  - A Public Hearing **will be** held.

**Note:** For federally-funded projects, FHWA signature of this environmental document indicates concurrence with the department’s Public Hearing requirement determination.
<table>
<thead>
<tr>
<th>Agency</th>
<th>Coordination Required?</th>
<th>Correspondence Attached?</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>WisDOT</td>
<td>☐ No</td>
<td>N/A</td>
<td>Coordination is not required because there will be no Fee, PLE or TLE acquisitions.</td>
</tr>
<tr>
<td>Region Real Estate Section</td>
<td>☑ Yes</td>
<td>☐ Yes No</td>
<td>Coordination has been completed. Project effects and relocation assistance have been addressed. A Conceptual Stage Relocation Plan is attached as <strong>Not Applicable</strong>.</td>
</tr>
<tr>
<td>Bureau of Aeronautics</td>
<td>☐ No</td>
<td>N/A</td>
<td>Coordination is not required. The project is not located within 5 miles of a public or military use airport.</td>
</tr>
<tr>
<td>Railroads and Harbors Section</td>
<td>☐ No</td>
<td>N/A</td>
<td>Coordination is not required because no railways or harbors are in or planned for the project area.</td>
</tr>
<tr>
<td></td>
<td>☑ Yes</td>
<td>☐ Yes No</td>
<td>Coordination has been completed and project effects have been addressed. Explain: October 31, 2016- Initial coordination sent November 4, 2016- email response received. See <strong>Appendix E</strong></td>
</tr>
<tr>
<td>STATE AGENCY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natural Resources (DNR)</td>
<td>☑ Yes</td>
<td>☐ Yes No</td>
<td>August 19, 2015 - Initial coordination letter sent to DNR June 17, 2016 - Meeting/Field Review with DNR. August 22, 2016 - Initial Project Review letter received from DNR. Project specific resource concerns included Section 4(f) lands; wetlands; fisheries, waterway aquatic connectivity, bridge, and culvert work; endangered resources; migratory birds; invasive species; floodplains; and construction site considerations. Coordination to continue with DNR to obtain final concurrence and wetland water quality certification. See <strong>Appendix E</strong> 10/25/2018- Meeting with DNR to discuss stormwater management and project permits 1/25/2019- Phone call discussing stormwater management</td>
</tr>
<tr>
<td>State Historic Preservation Office</td>
<td>☑ Yes</td>
<td>☐ Yes No</td>
<td>May 17, 2016 - Initial Section 106 packet submitted for review October 3, 2016- Signature on Section 106 Form. See <strong>Appendix E</strong> May 19, 2017- Assessment of Effects sent to SHPO June 13, 2017- Preliminary concurrence on effects determinations April 5, 2019- Signature on the Memorandum of Agreement</td>
</tr>
<tr>
<td>Agriculture (DATCP)</td>
<td>☐ Yes No</td>
<td>☐ Yes No</td>
<td>Correspondence not required because there are no agricultural lands within the project limits</td>
</tr>
<tr>
<td>Other (identify)</td>
<td>☑ Yes ☐ No</td>
<td>☑ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>FEDERAL AGENCY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>U.S. Army Corps of Engineers (USACE)</td>
<td>☑ Yes ☐ No</td>
<td>☑ Yes ☐ No</td>
<td>August 19, 2015 - Initial Coordination Letter sent October 23, 2015 - Response from USACE providing information should a Section 404 permit be necessary. See <strong>Appendix E</strong></td>
</tr>
<tr>
<td>U.S. Fish and Wildlife Service</td>
<td>☑ Yes ☐ No</td>
<td>☑ Yes ☐ No</td>
<td>August 19, 2015 - Initial coordination letter sent September 13, 2016 – Email sent regarding coordination with Section 7 and the northern long-eared bat. No response received. See <strong>Appendix E</strong> May 25, 2017- updated Official Species list indicated no new species in the corridor. No additional coordination needed. 2/6/2019- Email sent regarding updated Official Species List and Section 7 determination for the rusty patched bumble bee. 3/6/2019- USFWS concurred with rusty patched bumble bee determination (see Appendix B).</td>
</tr>
<tr>
<td>Agency</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------</td>
<td>-----</td>
<td>----</td>
<td>-----</td>
</tr>
<tr>
<td>Natural Resources Conservation</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>U.S. National Park Service (NPS)</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>U.S. Coast Guard (USCG)</td>
<td>☑</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>U.S. Environmental Protection Agency (EPA)</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
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<tr>
<td>Advisory Council on Historic Preservation (ACHP)</td>
<td>☑</td>
<td>☐</td>
<td>☑</td>
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<tr>
<td>Other (identify)</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>SOVEREIGN NATIONS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>American Indian Tribes</td>
<td>☑</td>
<td>☑</td>
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</tr>
</tbody>
</table>
### BASIC SHEET 6 – ALTERNATIVES COMPARISON MATRIX

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

<table>
<thead>
<tr>
<th>PROJECT PARAMETERS</th>
<th>Unit of Measure</th>
<th>Alternatives/Sections</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>No Build¹</td>
</tr>
<tr>
<td>Project Length</td>
<td>Miles</td>
<td>3</td>
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</tbody>
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### PRELIMINARY COST ESTIMATE (YOE)

<table>
<thead>
<tr>
<th></th>
<th>Million $</th>
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</thead>
<tbody>
<tr>
<td>Construction</td>
<td>0.887¹³</td>
</tr>
<tr>
<td>Real Estate</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>0.887</td>
</tr>
</tbody>
</table>

### LAND CONVERSIONS

| Total Area Converted to ROW | Acres | 6.4 |

### REAL ESTATE

| Number of Farms Affected   | Number | 0    |
| Total Area Required From Farm Operations | Acres | 0    |
| AIS Required               | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| Farmland Rating            | Score  | N/A  |
| Total Buildings Required   | Number | 0    |
| Housing Units Required     | Number | 0    |
| Commercial Units Required  | Number | 0    |
| Other Buildings or Structures Required | Number & Type | 0    |

### ENVIRONMENTAL FACTORS

| Indirect Effects       | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| Cumulative Effects     | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| Environmental Justice Populations | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| National Register Eligible Historic Structures in the Area of Potential Effect | Number | 0 ² |
| National Register Eligible Archeological Sites in the Area of Potential Effect | Number | 0 ⁰ |
| Burial Site Protection (authorization required) | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| 106 MOA Required        | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| Section 4(f) Evaluation Required | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| Section 6(f) Land Conversion Required | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| Flood Plain             | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| Unique Upland Habitat Identified | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| Total Wetlands Filled   | Acres           | 0 ¹ 0.0 |
| Stream Crossings        | Number          | 2 ² 2   |
| Threatened/Endangered Species | ☑ Yes No ☐ No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No |
| Noise Analysis Required  | Receptors Impacted | Number | 0 ⁰ 4 ⁰ |
| Contaminated Sites       | Number          | 0 ⁰ 7   |

¹ The estimated cost of routine maintenance through the design year should be included in the “Construction” box for the No Build alternative.
² Four-Lane Divided Roadway (Preferred Alternative)

¹³ Based on Waukesha County maintenance cost estimate of $4,600 per lane mile per year (2016 dollars) adjusted to YOE dollars between 2020 and 2040

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### BASIC SHEET 8 – ENVIRONMENTAL COMMITMENTS

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

<table>
<thead>
<tr>
<th>Factor Sheet</th>
<th>Commitment (If none, include “No special or supplemental commitments required.”)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1 General Economics</td>
<td>No special or supplemental commitments required</td>
</tr>
<tr>
<td>A-2 Business</td>
<td>Access to businesses will be maintained during construction. The designer will</td>
</tr>
<tr>
<td></td>
<td>assure inclusion of special provisions into contract documents to ensure access</td>
</tr>
<tr>
<td></td>
<td>will be maintained for businesses and emergency vehicles. The project engineer</td>
</tr>
<tr>
<td></td>
<td>will coordinate with the contractor and businesses owners about the timing and</td>
</tr>
<tr>
<td></td>
<td>duration of temporary closures to driveways during construction.</td>
</tr>
<tr>
<td>A-3 Agriculture</td>
<td>No special or supplemental commitments required</td>
</tr>
<tr>
<td>B-1 Community or Residential</td>
<td>Access to residences will be maintained during construction. The designer will</td>
</tr>
<tr>
<td></td>
<td>assure inclusion of special provisions into contract documents to ensure access</td>
</tr>
<tr>
<td></td>
<td>will be maintained for residents and emergency vehicles and that detour routes</td>
</tr>
<tr>
<td></td>
<td>will be signed. The project engineer will coordinate with the contractor and</td>
</tr>
<tr>
<td></td>
<td>home owners about the timing and duration of temporary closures to driveways</td>
</tr>
<tr>
<td></td>
<td>during construction. Emergency services access and school bus access will be</td>
</tr>
<tr>
<td></td>
<td>maintained during construction. The project will include pedestrian and bicycle</td>
</tr>
<tr>
<td></td>
<td>accommodations. School buses may need to adjust their routes so students do not</td>
</tr>
<tr>
<td></td>
<td>need to cross the median to board the bus. Waukesha County will coordinate any</td>
</tr>
<tr>
<td></td>
<td>modifications to school bus routes directly with the school district.</td>
</tr>
<tr>
<td>B-2 Indirect Effects</td>
<td>No special or supplemental commitments required</td>
</tr>
<tr>
<td>B-3 Cumulative Effects</td>
<td>No special or supplemental commitments required</td>
</tr>
<tr>
<td>B-4 Environmental Justice</td>
<td>No special or supplemental commitments required</td>
</tr>
<tr>
<td>B-5 Historic Resources</td>
<td>No special commitments required for the Elm-Brook State Bank as there will be</td>
</tr>
<tr>
<td></td>
<td>no adverse effect. For the Daubner Farmstead, the following stipulations will be</td>
</tr>
<tr>
<td></td>
<td>included in the construction specifications: 1) move the driveway east to line</td>
</tr>
<tr>
<td></td>
<td>up with the median opening for 166th Street at the owner’s request as well as an</td>
</tr>
<tr>
<td></td>
<td>appropriate connection from the new driveway to the existing loop driveway on</td>
</tr>
<tr>
<td></td>
<td>the property (Project Engineer will ensure commitment is achieved); 2) The</td>
</tr>
<tr>
<td></td>
<td>Waukesha County DPW will reimburse the property owner for the costs associated</td>
</tr>
<tr>
<td></td>
<td>with the removal (prior to road construction) and reinstallation (following the</td>
</tr>
<tr>
<td></td>
<td>road’s reconstruction) of the existing, non-contributing driveway entrance</td>
</tr>
<tr>
<td></td>
<td>markers; 3) develop a vegetative replacement and screening plan with input from</td>
</tr>
<tr>
<td></td>
<td>the property owner and implement the plan following the North Avenue</td>
</tr>
<tr>
<td></td>
<td>reconstruction (Project Engineer will ensure commitment is achieved); 4) Waukesha</td>
</tr>
<tr>
<td></td>
<td>County will complete a National Register of Historic Places nomination for the</td>
</tr>
<tr>
<td></td>
<td>Daubner Farmstead once construction is completed. As part of the nomination, the</td>
</tr>
<tr>
<td></td>
<td>historic boundary will use the back edge of the new sidewalk as the south side</td>
</tr>
<tr>
<td></td>
<td>boundary. All other boundaries will conform to what is currently in place with</td>
</tr>
<tr>
<td></td>
<td>the Determination of Eligibility These commitments have been included in the</td>
</tr>
<tr>
<td></td>
<td>Memorandum of Agreement (MOA) (See Appendix F).</td>
</tr>
<tr>
<td>B-6 Archaeological/Burial Sites</td>
<td>Construction will take place within existing right of way near the cemeteries.</td>
</tr>
<tr>
<td></td>
<td>For Pioneer Cemetery, special provisions to the construction documents will</td>
</tr>
<tr>
<td></td>
<td>require monitoring during construction or surface stripping of the topsoil to</td>
</tr>
<tr>
<td></td>
<td>inspect for graves will occur if construction activity encroaches on the existing</td>
</tr>
<tr>
<td></td>
<td>boundaries of the cemetery. If any unanticipated cultural resources are</td>
</tr>
<tr>
<td></td>
<td>encountered during construction, construction activities would be halted in that</td>
</tr>
<tr>
<td></td>
<td>location and appropriate authorities and specialists would be contacted</td>
</tr>
<tr>
<td></td>
<td>immediately by the project engineer. The project designer will assure inclusion</td>
</tr>
<tr>
<td></td>
<td>of language into contract documents.</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>B-7</td>
<td>Tribal Coordination/Consultation</td>
</tr>
<tr>
<td>B-8</td>
<td>Section 4(f) and 6(f) or Other Unique Areas</td>
</tr>
<tr>
<td>B-9</td>
<td>Aesthetics</td>
</tr>
<tr>
<td>C-1</td>
<td>Wetlands</td>
</tr>
<tr>
<td>C-2</td>
<td>Rivers, Streams and Floodplains</td>
</tr>
<tr>
<td>C-3</td>
<td>Lakes or other Open Water</td>
</tr>
<tr>
<td>C-4</td>
<td>Groundwater, Wells and Springs</td>
</tr>
<tr>
<td>C-5</td>
<td>Upland Wildlife and Habitat</td>
</tr>
<tr>
<td>C-6</td>
<td>Coastal Zones</td>
</tr>
<tr>
<td>C-7 Threatened and Endangered Species</td>
<td>This project has coordinated with USFWS regarding the NLEB following the final 4(d) rule. The designer coordinated the removal of trees all year-round. The designer will need to coordinate with USFWS again during the Section 404 permitting stage and prior to construction (one month before final plan (PS&amp;E completion)) to determine if conditions have changed. The project team will continue to coordinate with USFWS, if any requests are made after submittal based on the final 4(d) rule. The designer will ensure this commitment is added to the special provisions. The project engineer will assure that the requirements of the special provisions are met.</td>
</tr>
<tr>
<td>D-1 Air Quality</td>
<td>Dust abatement measures will be used during construction. The project designer will include these measures in the special provisions and the project engineers will assure that the requirements of the special provisions are met.</td>
</tr>
<tr>
<td>D-2 Construction Stage Sound Quality</td>
<td>WisDOT Standard Specification 107.8(6) and 108.7.1 will apply. City of Brookfield ordinance stating that construction cannot occur between the hours of seven p.m. and seven a.m. (Section 9.08.100) will be followed.</td>
</tr>
<tr>
<td>D-3 Traffic Noise</td>
<td>No special or supplemental commitments required</td>
</tr>
<tr>
<td>D-4 Hazardous Substances or Contamination</td>
<td>Seven sites that may contain hazardous substances have been identified. If contamination is encountered during construction, subsequent remediation will be carried out and contaminated material will be disposed of properly. No asbestos-containing material has been found on structures B-67-0214 (over Underwood Creek west of Lilly Road) or B-67-0256 (over Underwood Creek at Pilgrim Road). Standard special provision 107-125 shall be included in the construction documents, and the contractor will be responsible for completion of the Notification of Demolition and/or Renovation (DNR form 4500-113) if required. A copy of the inspection report is available from the region office.</td>
</tr>
<tr>
<td>D-5 Storm Water</td>
<td>WisDOT will follow TRANS 401, the WisDOT/DNR Cooperative Agreement, and MMSD Chapter 13 regarding stormwater management to minimize potential adverse effects. The median will be used to manage stormwater. Three stormwater ponds are planned along the corridor.</td>
</tr>
<tr>
<td>D-6 Erosion Control</td>
<td>WisDOT will follow TRANS 401 and the WisDOT/DNR Cooperative Agreement amendment regarding erosion control to minimize potential adverse effects. The contractor will be required to submit an erosion control plan. The project engineer will ensure the plan is implemented.</td>
</tr>
<tr>
<td>E-Other: Emerald Ash Borer</td>
<td>The designer will include a “Notice to Contractor – Emerald Ash Borer” in the project special provisions due to tree removal on the project. Ash trees removed as part of the proposed action will be disposed of in accordance with Wisconsin Administrative Code regarding the Emerald Ash Borer. The project engineer will assure that the contractor is following the special provision during construction.</td>
</tr>
</tbody>
</table>
### A. ECONOMIC FACTORS

**A-1 General Economics**

<table>
<thead>
<tr>
<th>Factors</th>
<th>Adverse</th>
<th>Benefit</th>
<th>None Identified</th>
<th>Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1 General Economics</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
<td>☒</td>
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</table>

**A-2 Business**

<table>
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<tr>
<th>Factors</th>
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<th>Benefit</th>
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</tr>
</thead>
<tbody>
<tr>
<td>A-2 Business</td>
<td>☒</td>
<td>☐</td>
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**A-3 Agriculture**

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<tbody>
<tr>
<td>A-3 Agriculture</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
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### B. SOCIAL/CULTURAL FACTORS

**B-1 Community or Residential**

<table>
<thead>
<tr>
<th>Factors</th>
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<th>Benefit</th>
<th>None Identified</th>
<th>Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-1 Community or Residential</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
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</tbody>
</table>

**B-2 Indirect Effects**

<table>
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<tr>
<th>Factors</th>
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<th>Benefit</th>
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<tbody>
<tr>
<td>B-2 Indirect Effects</td>
<td>☐</td>
<td>☐</td>
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<td>☐</td>
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**B-3 Cumulative Effects**

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<tbody>
<tr>
<td>B-3 Cumulative Effects</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
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**B-4 Environmental Justice**

<table>
<thead>
<tr>
<th>Factors</th>
<th>Adverse</th>
<th>Benefit</th>
<th>None Identified</th>
<th>Effects</th>
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<tbody>
<tr>
<td>B-4 Environmental Justice</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

For B-5 through B-8, if any of these resources are present on the project, involve the REC early because of possible project schedule implications.

**B-5 Historic Resources**

<table>
<thead>
<tr>
<th>Factors</th>
<th>Adverse</th>
<th>Benefit</th>
<th>None Identified</th>
<th>Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-5 Historic Resources</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**B-6 Archaeological/Burial Sites**

<table>
<thead>
<tr>
<th>Factors</th>
<th>Adverse</th>
<th>Benefit</th>
<th>None Identified</th>
<th>Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-6 Archaeological/Burial Sites</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

**B-7 Tribal Coordination/Consultation**

<table>
<thead>
<tr>
<th>Factors</th>
<th>Adverse</th>
<th>Benefit</th>
<th>None Identified</th>
<th>Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-7 Tribal Coordination/Consultation</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

**B-8 Section 4(f) and 6(f) or Other Unique Areas**

<table>
<thead>
<tr>
<th>Factors</th>
<th>Adverse</th>
<th>Benefit</th>
<th>None Identified</th>
<th>Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-8 Section 4(f) and 6(f) or Other Unique Areas</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**B-9 Aesthetics**

<table>
<thead>
<tr>
<th>Factors</th>
<th>Adverse</th>
<th>Benefit</th>
<th>None Identified</th>
<th>Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-9 Aesthetics</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

### C. NATURAL RESOURCE FACTORS

**C-1 Wetlands**

<table>
<thead>
<tr>
<th>Factors</th>
<th>Adverse</th>
<th>Benefit</th>
<th>None Identified</th>
<th>Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>C-1 Wetlands</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**C-2 Rivers, Streams and Floodplains**

<table>
<thead>
<tr>
<th>Factors</th>
<th>Adverse</th>
<th>Benefit</th>
<th>None Identified</th>
<th>Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>C-2 Rivers, Streams and Floodplains</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>C-3 Lakes or Other Open Water</td>
<td>☒ ☐ ☐ ☒</td>
<td>There are no lakes or other water bodies in the project area. Factor sheet is not required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------</td>
<td>------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C-4 Groundwater, Wells, and Springs</td>
<td>☐ ☐ ☐ ☐</td>
<td>The preferred alternative is not expected to cause impacts to groundwater resources. Factor sheet is not required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C-5 Upland Wildlife and Habitat</td>
<td>☒ ☐ ☐ ☒</td>
<td>The preferred alternative would result in impacts to approximately 2.8 acres of upland area. See Factor Sheet for more information.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C-6 Coastal Zones</td>
<td>☐ ☐ ☒ ☒</td>
<td>Most of the project is located in the Great Lakes Watershed. However, the project would not affect a Special Coastal Area. See Factor Sheet for more information.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C-7 Threatened and Endangered Species</td>
<td>☐ ☐ ☒ ☒</td>
<td>The preferred alternative is not expected to impact threatened or endangered species. Coordination with the USFWS indicated that the project may affect the NLEB but is not prohibited by the final 4(d) rule and that there would be no effect on other listed threatened or endangered species. No response was received within 30 days of the email which indicates that the project may proceed as proposed. USFWS also concurred with the determination that the project may affect, not likely to adversely affect the rusty patched bumble bee. See Factor Sheet for more information.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**D. PHYSICAL FACTORS**

<table>
<thead>
<tr>
<th>D-1 Air Quality</th>
<th>☐ ☐ ☒ ☒</th>
<th>This project is exempt from permit requirements under NR 411. There would be no air quality impacts as a result of the proposed actions. See Factor Sheet for more information.</th>
</tr>
</thead>
<tbody>
<tr>
<td>D-2 Construction Stage Sound Quality</td>
<td>☐ ☐ ☒ ☒</td>
<td>WisDOT Standard Specifications 107.8(6) abd 108.7.1 would apply. Construction noise impacts may occur. See Factor Sheet for more information.</td>
</tr>
<tr>
<td>D-3 Traffic Noise</td>
<td>☐ ☐ ☒ ☒</td>
<td>A detailed noise analysis was required for this project. Some impacts are anticipated. The future noise level at four receptors would approach the Noise Abatement Criterion with the preferred alternative. See Factor Sheet for more information.</td>
</tr>
<tr>
<td>D-4 Hazardous Substances or Contamination</td>
<td>☐ ☐ ☒ ☒</td>
<td>Eight sites that may contain hazardous substances have been identified adjacent to the preferred alternative. With appropriate remediation and disposal procedures, no adverse impacts are anticipated. See Factor Sheet for more information.</td>
</tr>
<tr>
<td>D-5 Stormwater</td>
<td>☒ ☒ ☐ ☒</td>
<td>There is a potential for stormwater impacts during and after construction. WisDOT would follow TRANS 401 and the WisDOT/DNR Cooperative Agreement amendment regarding stormwater management to minimize the potential for adverse effects. MMSD Chapter 13 rules are being utilized. See Factor Sheet for more information.</td>
</tr>
<tr>
<td>D-6 Erosion Control and Sediment Control</td>
<td>☒ ☐ ☐ ☒</td>
<td>There is a potential for erosion-related sedimentation in an unnamed tributary to Poplar Creek, Dousman Ditch, and Underwood Creek. Waukesha County’s erosion control would prevent further degradation of water quality. WisDOT would follow TRANS 401 and the WisDOT/DNR Cooperative Agreement amendment regarding erosion control to minimize the potential for adverse effects. See Factor Sheet for more information.</td>
</tr>
</tbody>
</table>

**E. OTHER FACTORS**

| E-1 | ☐ ☐ ☐ ☐ |
| E-2 | ☐ ☐ ☐ ☐ |
1. Give a brief description of the community or neighborhood affected by the proposed action:

   Name of Community/Neighborhood
   City of Brookfield
   Incorporated
   ☑ Yes  ☐ No

   Total Population
   38,000

   Demographic Characteristics

<table>
<thead>
<tr>
<th>Census Year: 2015 ACS</th>
<th>% of Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group A: Owner occupied housing</td>
<td>87.7%</td>
</tr>
<tr>
<td>Group B: Families in poverty</td>
<td>2.0%</td>
</tr>
<tr>
<td>Group C: Median household income</td>
<td>$92,518</td>
</tr>
<tr>
<td>Group D: Automobile commuters</td>
<td>92.9%</td>
</tr>
</tbody>
</table>

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

   Automobiles are the primary mode of transportation in Brookfield and make up nearly all of the traffic generated. There is mass transit in Brookfield but not along the project corridor. Many residents commute to jobs in Milwaukee and Waukesha. The mean travel time to work is 21.8 minutes. Of the residents 16 years and over that work, 92.9 percent drive to work, 5.3 percent work from home, and 0.6 percent take public transportation.

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

   Reconstruction of North Avenue would not change the modes of transportation. The proposed project would provide more efficient traffic flow and minimize delay through the corridor, with increased safety. The proposed pedestrian and bicycle accommodations would improve multimodal use and safety within the corridor.

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

   The Preferred Alternative would not directly or indirectly affect the existing or future land use designations along the corridor. The corridor would remain primarily residential, with some commercial businesses.

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

   Access would be maintained during construction for emergency and other public services. North Avenue would remain open during construction except when the railroad crossing near Pilgrim Road is replaced. This full closure would last for several days to a few weeks. The signed detour route would be Pilgrim Road to Capitol Drive to WIS 100 to North Avenue (Exhibit 17A and 17B). North Avenue would be open to local through traffic during construction other than during the railroad crossing replacement. Following construction, the improved roadway may result in more efficient response times for emergency and public service traffic. As a result of the median, it may be necessary for emergency vehicles to make U-turn maneuvers using the median openings to access some properties along North Avenue or to take different routes to reach the properties. School buses may need to adjust their routes so students do not need to cross the median to board the bus.

   Bicycle and pedestrian accommodations are present in some segments of North Avenue. Where those accommodations are in place today, they will be maintained during construction. In locations where there is sidewalk on both sides of North Avenue today, at least one will remain open during construction. In locations where there is sidewalk on only one side of North Avenue today, pedestrian access will be maintained either through temporary pavement or a detour. Signage would indicate which sidewalks are closed, whether a sidewalk across the street is...
open, or where detours are. On road bike lanes/paved shoulder will also be maintained during construction in locations where they are present today.

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

The widening of North Avenue from two lanes to four lanes and the addition of pedestrian accommodations would affect several lot frontages adjacent to the project corridor. Additionally, some trees would be removed as part of this project. Driveway slopes may become steeper or flatter due to the proposed roadway profile modifications but would not exceed WisDOT’s maximum driveway slope criteria. The physical changes would mostly occur through the existing two-lane sections of North Avenue.

The proposed median of the Preferred Alternative would create access modifications throughout the corridor, where residents may have to make U-turns at median openings to access their driveways.

The following physical and access changes (from west to east) would be associated with the Preferred Alternative:

- Expansion of the Calhoun Road/North Avenue intersection to accommodate new four-lane roadway that includes right-turn lanes
- Removal of left-turn lane on eastbound North Avenue to Brook Springs Drive
- New left-turn lanes on North Avenue at Hillsdale Drive
- New left-turn lane on eastbound North Avenue to 166th Street
- New left-turn lane on eastbound North Avenue at Hillsdale Drive
- New left-turn lanes on North Avenue at Glencove Lane
- Expansion of the Pilgrim Road/North Avenue intersection to accommodate new four-lane roadway that includes three right-turn lanes
- New left-turn lane on eastbound North Avenue at Pilgrim Square Drive
- New left-turn lane on westbound North Avenue at Marilyn Drive
- New left-turn lane on eastbound North Avenue at Kevenauer Drive
- New left-turn lane on eastbound North Avenue at W Rockway Lane
- New left-turn lane on eastbound North Avenue at E Rockway Lane
- New left-turn lane on westbound North Avenue at Highland Drive
- Removal of access to 147th Street from eastbound North Avenue
- New left-turn lanes on North Avenue at Mt. Kisco Drive and Walnut Grove Court
- New left-turn lane on westbound North Avenue at Underwood Parkway
- Expansion of the Lily Road/North Avenue intersection to accommodate new four-lane roadway
- New left-turn lane on westbound North Avenue at San Fernando Drive
- Removal of access to Tru Lane from eastbound North Avenue
- New left-turn lanes on North Avenue at Hollyhock Lane
- New left-turn lane on westbound North Avenue at Arrowhead Court
- Removal of access to 131st Street from eastbound North Avenue
- **New left-turn lane on westbound North Avenue to the Unitarian Universalist Church**
- New left-turn lane on eastbound North Avenue at 130th Street
- New left-turn lane on eastbound North Avenue at Mayfair Drive
- New left-turn lane on eastbound North Avenue at N 128th Street
- New left-turn lane on westbound North Avenue at Fairhaven Boulevard
- New left-turn lane on westbound North Avenue at Cloverhill Road
- Additional or updated bicycle and pedestrian facilities on and adjacent to North Avenue for the length of the project

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

A small portion of Wirth Park would be converted to right-of-way. This would not affect the nature of the park or public facilities. There may be small strip takings at Brookfield Central High School sports fields, City of Brookfield property currently occupied by the Amy Montessori School, Unitarian Universalist Church, a new medical/office facility, and several medical facilities, including a dentist. The project would not change the character of these community facilities or how the facilities are used. Area pedestrians and bicyclists who use the local trail systems (Civic Center and Mound Zion trails) would benefit from the sidewalk and on-road bicycle accommodations with the Preferred Alternative.

8. **Identify and discuss factors that residents have indicated to be important or controversial:**
Beyond the concerns raised by public regarding the project’s development process and preliminary range of alternatives (see Basic Sheet 3, Question 11a), the following issues and concerns were mentioned by the public:

- Community character—It is important for the corridor to still feel like a residential neighborhood and not a large commercial thoroughfare.
- Pedestrian and bicyclist accommodations—It is important to provide better pedestrian and bicycle accommodations for the community along the corridor.
- Access to North Avenue—It can be difficult to access North Avenue from side streets and driveways.
- Speeding in the corridor—Roadway expansion will increase speeding along the corridor.
- Minimal residential impacts—Concern about the magnitude of impacts associated with the project, including tree removal and proximity to homes and businesses.
- Railroad crossing—The at-grade railroad crossing at North Avenue and Pilgrim Road/CTH YY causes problems, including noise from the trains, traffic at train crossings, and dysfunction of the existing crossing gates and signals.

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

A Context Sensitive Solutions Advisory Group was created to discuss various issues of the project and how it would fit into the community. The results are forthcoming, and further Community Sensitive Design considerations will be determined during final design.

10. Indicate the number and type of any residential buildings that will be acquired because of the proposed action. If either item a) or b) is checked, items 11 through 18 do not need to be addressed or included in the environmental document. If item c) is checked, complete items 11 through 18 and attach the Conceptual Stage Relocation Plan to the environmental document:

a. None identified.
b. No occupied residential building will be acquired as a result of this project. Provide number and description of non-occupied buildings to be acquired.
c. Occupied residential building(s) will be acquired. Provide number and description of buildings, e.g., single family homes, apartment buildings, condominiums, duplexes, etc.

One single-family home will be relocated as part of the project. It is a rental property.

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

| Total Number of Households to be Relocated. | 1 |

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

a. Number by Ownership

<table>
<thead>
<tr>
<th>Number of Households Living in Owner Occupied Building</th>
<th>Number of Households Living in Rented Quarters</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

b. Number of households to be relocated that have.

<table>
<thead>
<tr>
<th>1 Bedroom</th>
<th>2 Bedroom</th>
<th>3 Bedroom</th>
<th>4 or More Bedrooms</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Number of Single Family Dwelling.</th>
<th>Price Range.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$180,000 Purchase $1,000/month rental</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Multi-Family Dwellings</th>
<th>Price Range.</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Apartment</th>
<th>Price Range</th>
</tr>
</thead>
</table>
12. Describe the relocation potential in the community:

a. Number of Available Dwellings

<table>
<thead>
<tr>
<th></th>
<th>1 Bedroom</th>
<th>2 Bedrooms</th>
<th>3 Bedrooms</th>
<th>4 or More Bedrooms</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bedroom</td>
<td>N/A</td>
<td>0</td>
<td>5</td>
<td>N/A</td>
</tr>
</tbody>
</table>

b. Number of Available and Comparable Dwellings by Location

<table>
<thead>
<tr>
<th></th>
<th>5 within Same Community</th>
<th>2 within 1 Mile Radius</th>
</tr>
</thead>
<tbody>
<tr>
<td>within</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>


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

<table>
<thead>
<tr>
<th>Dwellings Type</th>
<th>Price Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Dwellings</td>
<td>$1,150 to $2,000 / month</td>
</tr>
<tr>
<td>The Conceptual State Relocation Plan shows a sample of available and comparable dwellings in the community</td>
<td></td>
</tr>
<tr>
<td>2+ Bedroom single family homes in Brookfield</td>
<td>$1,350 to $1,950 / month</td>
</tr>
<tr>
<td>Multi-Family Dwellings</td>
<td>N/A</td>
</tr>
<tr>
<td>Apartments</td>
<td>N/A</td>
</tr>
</tbody>
</table>

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

- [ ] WisDOT Real Estate Conceptual Stage Relocation Plan
- [x] Multiple Listing Service (MLS)
- [ ] Newspaper Listing(s)
- [x] Other – Identify Zillow.com, Craigslist

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

- [x] None identified.
- [ ] Yes - _____ total households to be relocated. Complete table below

<table>
<thead>
<tr>
<th>Special Characteristics</th>
<th>Number of Households with Individuals with Special Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elderly</td>
<td></td>
</tr>
<tr>
<td>Disabled</td>
<td></td>
</tr>
<tr>
<td>Low income</td>
<td></td>
</tr>
<tr>
<td>Minority</td>
<td></td>
</tr>
<tr>
<td>Household of large family (5 or more)</td>
<td></td>
</tr>
<tr>
<td>Not Known</td>
<td></td>
</tr>
<tr>
<td>No special characteristics</td>
<td></td>
</tr>
</tbody>
</table>

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

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

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

☐ Identify other relocation assistance requirements not identified above.

16. Identify any difficulties or unusual conditions for relocating households displaced by the proposed action:
Two bedroom single-family homes are not common or readily available in this community and may not be available for the relocate; therefore, a 3 bedroom or larger comparable may need to be selected. The owner is currently paying $1,000/ month in rent, which is below the market rate for this community, therefore, housing of last resort may need to be considered.

17. Indicate whether Special Relocation Assistance Service will be needed. Describe any special services or housing programs needed to remedy identified difficulties or unusual conditions noted in item #14 above:
☑ None identified
☐ Yes – Describe services that will be required

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

Efforts were made during preliminary design to avoid residential relocations and impacts to community facilities. As part of the design there will be one residential relocation in the City of Brookfield.
COMMUNITY OR RESIDENTIAL EVALUATION
Factor Sheet B-1

<table>
<thead>
<tr>
<th>Alternative: Four-Lane Divided Roadway (Preferred Alternative)</th>
<th>Total Length of Center Line of Existing Roadway: 3 miles</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Length of This Alternative: 3 miles</td>
</tr>
<tr>
<td>Preferred</td>
<td>X Yes  No  None identified</td>
</tr>
</tbody>
</table>

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

   **Name of Community/Neighborhood**
   Village of Elm Grove
   Incorporated
   X Yes  No

   **Total Population**
   6,037

   **Demographic Characteristics**
   
<table>
<thead>
<tr>
<th>Census Year: 2015 ACS</th>
<th>% of Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group A: Owner occupied housing</td>
<td>94.5%</td>
</tr>
<tr>
<td>Group B: Families in Poverty</td>
<td>0.9%</td>
</tr>
<tr>
<td>Group C: Median household income</td>
<td>$114,755</td>
</tr>
<tr>
<td>Group D: Automobile commuters</td>
<td>89.5%</td>
</tr>
</tbody>
</table>

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

   Automobiles are the primary mode of transportation in Elm Grove and make up nearly all of the traffic generated. There is no mass transit in Elm Grove, but there are several routes along adjacent arterials and in the surrounding communities. There is no public transportation along the project corridor. Many residents commute to jobs in Milwaukee and Waukesha. The mean travel time to work is 21.5 minutes. Of the residents 16 years and older who work, 89.5 percent drive to work, 8.0 percent work from home, and 1.7 percent take public transportation.

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

   Reconstruction of North Avenue would not significantly change the modes of transportation. The proposed project would provide more efficient traffic flow and minimize delay through the corridor with increased safety. The proposed pedestrian and bicycle accommodations would improve multimodal use and safety within the corridor. North Avenue is not within the municipal boundary of Elm Grove, but it does intersect several local roadways that are located within the municipal boundary of Elm Grove. These connections would be maintained.

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

   The Preferred Alternative would not directly or indirectly affect the existing or future land use designations within Elm Grove.

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

   Access would be maintained during construction for emergency and other public services. North Avenue would remain open during construction except when the railroad crossing near Pilgrim Road is replaced. This full closure would last for several days to a few weeks. The signed detour route would be Pilgrim Road to Capitol Drive to WIS 100 to North Avenue (Exhibit 17A and 17B). North Avenue would be open to local through traffic during construction other than during the railroad crossing replacement. Following construction, the improved roadway may result in more efficient response times for emergency and public service traffic. Access to neighborhoods in Elm Grove south of North Avenue would be maintained.

   Bicycle and pedestrian accommodations are present in some segments of North Avenue. Where those accommodations are in place today, they will be maintained during construction. In locations where there is sidewalk on both sides of North Avenue today, at least one will remain open during construction. In locations where there is sidewalk on only one side of North Avenue today, pedestrian access will be maintained either through temporary pavement or a detour. Signage would indicate which sidewalks are closed, whether a sidewalk across the street is
6. Describe any physical or access changes that will result. This could include effects on lot frontages, side slopes or driveways (steeper or flatter), sidewalks, reduced terraces, tree removals, vision corners, etc.: Driveway connections to local roadways in Elm Grove would be maintained. Left-turn lanes would be added to westbound North Avenue at several locations, upgrading those connections to local Elm Grove roadways that connect to North Avenue.

The following physical and access changes (from west to east) would be associated with the Preferred Alternative:

- New left-turn lane to Marilyn Drive when traveling westbound on North Avenue
- New left-turn lane to Mt. Kisco Drive when traveling westbound on North Avenue
- New left-turn lane to Underwood Parkway when traveling westbound on North Avenue
- New left-turn lane to Hollyhock Lane when traveling westbound on North Avenue
- New left-turn lane to Arrowhead Lane when traveling westbound on North Avenue
- New left-turn lane to Fairhaven Boulevard when traveling westbound on North Avenue

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

No Elm Grove community facilities would be affected by the proposed action. Area pedestrians and bicyclists who use the local trail system would benefit from the sidewalk and on-road bicycle accommodations with the Preferred Alternative.

The Elm Grove Trail is routed on Lilly Road between Elm Grove Park and North Avenue. It is an on-road trail, with no pavement marking.

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

Beyond the concerns raised by the public regarding the project’s development process and preliminary range of alternatives (see Basic Sheet 3, Question 11a), the following issues and concerns were mentioned by the public:

- Community Character—It is important for the corridor to still feel like a residential neighborhood and not a large commercial thoroughfare.
- Pedestrian and bicyclist accommodations—It is important to provide better pedestrian and bicycle accommodations for the community along the corridor.
- Access to North Avenue—It can be difficult to access North Avenue from side streets and driveways.
- Speeding in the corridor—Roadway expansion will increase speeding along the corridor.
- Minimal residential impacts—Concern about the magnitude of impacts associated with the project, including tree removal and proximity to homes and businesses.
- Railroad crossing—The at-grade railroad crossing at North Avenue and Pilgrim Road/CTH YY causes problems, including noise from the trains, traffic impacts at train crossings, and dysfunction of the existing crossing gates and signals.

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

A Context Sensitive Solutions Advisory Group was created to discuss various issues of the project and how it would fit into the community. The results are forthcoming, and further Community Sensitive Design considerations will be determined during final design.

10. Indicate the number and type of any residential buildings that will be acquired because of the proposed action. If either item a) or b) is checked, items 11 through 18 do not need to be addressed or included in the environmental document. If item c) is checked, complete items 11 through 18 and attach the Conceptual Stage Relocation Plan to the environmental document:

a. ☒ None identified.

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

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

11. Anticipated number of households that will be relocated from the occupied residential buildings identified in item 10c, above:
Total Number of Households to be Relocated.

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

a. Number by Ownership

<table>
<thead>
<tr>
<th>Number of Households Living in Owner Occupied Building</th>
<th>Number of Households Living in Rented Quarters</th>
</tr>
</thead>
</table>

b. Number of households to be relocated that have.

<table>
<thead>
<tr>
<th>1 Bedroom</th>
<th>2 Bedroom</th>
<th>3 Bedroom</th>
<th>4 or More Bedrooms</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th>Number of Single Family Dwelling</th>
<th>Price Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Multi-Family Dwellings</td>
<td>Price Range</td>
</tr>
<tr>
<td>Number of Apartment</td>
<td>Price Range</td>
</tr>
</tbody>
</table>

12. Describe the relocation potential in the community:

a. Number of Available Dwellings

<table>
<thead>
<tr>
<th>1 Bedroom</th>
<th>2 Bedrooms</th>
<th>3 Bedrooms</th>
<th>4 or More Bedrooms</th>
</tr>
</thead>
</table>

b. Number of Available and Comparable Dwellings by Location

<table>
<thead>
<tr>
<th>within</th>
<th>within</th>
</tr>
</thead>
</table>

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

Single Family Dwellings

The conceptual Stage Relocation Plan shows a sample of available and comparable dwellings in the community

3+ Bedroom ranch style single family homes in Elm Grove

Multi-Family Dwellings

Apartments

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

- [ ] WisDOT Real Estate Conceptual Stage Relocation Plan
- [ ] Multiple Listing Service (MLS)
- [ ] Newspaper Listing(s)
- [ ] Other – Identify Zillow.com, Craigslist

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

- [ ] None identified.
- [ ] Yes - _____ total households to be relocated. Complete table below
### Special Characteristics

<table>
<thead>
<tr>
<th>Number of Households with Individuals with Special Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elderly</td>
</tr>
</tbody>
</table>

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

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

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

- Identify other relocation assistance requirements not identified above.

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

Affordable housing in the Village of Elm Grove is limited, and there is a high level of competition for lower priced homes. Housing of last resort may need to be considered if the supply of available comparable homes is limited at the time of relocation.

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

- None identified
- Yes - Describe services that will be required

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

Efforts were made during preliminary design to avoid residential relocations and impacts to community facilities.
Factor Sheet C-1a

### Alternative:
- **Four-Lane Divide Roadway (Preferred Alternative)**

<table>
<thead>
<tr>
<th>Total Length of Center Line of Existing Roadway: 3 Miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of This Alternative: 3 Miles</td>
</tr>
</tbody>
</table>

#### Preferred
- Yes [ ]  No [ ]  None identified [ ]

1. **Describe Wetlands:**

<table>
<thead>
<tr>
<th>Wetland 1</th>
<th>Wetland 2</th>
<th>Wetland 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name (if known) or wetland number</td>
<td>Sample Site 1</td>
<td>Sample Site 3</td>
</tr>
<tr>
<td>County</td>
<td>Waukesha</td>
<td>Waukesha</td>
</tr>
<tr>
<td>Location (Section-Township-Range)</td>
<td>NW Quarter, Section 22, T7N, R20E</td>
<td>NW Quarter, Section 22, T7N, R20E</td>
</tr>
<tr>
<td>Location (Latitude)</td>
<td>43° 03' 40.08&quot;</td>
<td>43° 03' 38.76&quot;</td>
</tr>
<tr>
<td>Location (Longitude)</td>
<td>88° 07' 38.20&quot;</td>
<td>88° 07' 20.76&quot;</td>
</tr>
<tr>
<td>Location Map</td>
<td>See Exhibit 38</td>
<td>See Exhibit 38</td>
</tr>
<tr>
<td>Wetland Type(s)</td>
<td>RPF(D)</td>
<td>M(D)</td>
</tr>
<tr>
<td>Wetland Loss</td>
<td>&lt;0.01 acre</td>
<td>&lt;0.01 acre</td>
</tr>
</tbody>
</table>

Wetland is: (Check all that apply)
- Isolated from stream, lake or other surface water body [X]  [X]  [X]
- Not contiguous (in contact with) a stream, lake, or other water body, but within 100-year floodplain [X]  [X]  [X]
- If adjacent or contiguous, identify stream, lake, or water body: Unnamed Tributary of Poplar Creek

1. Use wetland numbering from the project wetland delineation report.
2. Use wetland types as specified in the “WisDOT FDM 24-5 Attachment 10.2 Wetland Type Correspondence Table”
3. If wetland is contiguous to a stream, complete Factor Sheet C-2, Rivers, Streams and Floodplains Impact Evaluation. If wetland is contiguous to a lake or other water body, complete Factor Sheet C-3, Lake or Water Body Impact Evaluation.

2. **Are any impacted wetlands considered “wetlands of special status” per WisDOT Wetland Mitigation Banking Technical Guideline, page 10 (6 categories)?**

- Yes [ ]  No [ ]
- Advanced Identification Program (ADID) Wetlands [ ]
- Public or private expenditure has been made to restore, protect, or ecologically manage the wetland on either public or private land [ ]
- Other – Describe: __________________________

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

The proposed work would have an impact on approximately 1.01 acres of wetlands. The proposed work would include widening the existing two-lane facility to a four-lane, divided highway. A portion of the existing ditches, some of which are considered wetlands, along the corridor would be filled due to the widening and addition or reconstruction of a path and trail. The existing culverts/structures on North Avenue over the unnamed tributary of Poplar Creek, Dousman Ditch, and Underwood Creek would be extended or reconstructed, which would have impacts on adjacent wetlands due to roadway profile and structure width modifications.

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

Expected species include various waterfowl, songbirds, mammals, reptiles, and amphibians typical of urban wetlands in the Midwest.
5. Federal Highway Administration (FHWA) Wetland Policy:
   - Not Applicable - Explain
   - Individual Wetland Finding Required - Summarize why there are no practicable alternatives to the use of the wetland.
   - Statewide Wetland Finding: **NOTE:** All three boxes below must be checked for the Statewide Wetland Finding to apply.
     - Project is either a bridge replacement or other reconstruction within 0.3 mile of the existing location.
     - The project requires the use of 7.4 acres or less of wetlands.
     - The project has been coordinated with the DNR and there have been no significant concerns expressed over the proposed use of the wetlands.

6. Erosion control or storm water management practices which will be used to protect the wetland are indicated on form: (Check all that apply)
   - Factor Sheet D-6, Erosion Control Evaluation.
   - Factor Sheet D-5, Stormwater Evaluation.
   - Neither Factor Sheet - Briefly describe measures to be used

7. U.S. Army Corps of Engineers (USACE) Jurisdiction - Section 404 Permit (Clean Water Act)
   - Not Applicable - No fill to be placed in wetlands or wetlands are not under USACE jurisdiction.
   - Applicable - Fill will be placed in wetlands under the jurisdiction of the USACE.
     - Indicate area of wetlands filled: **1.01 acres total**
     - Type of 404 permit anticipated:
       - Individual Section 404 Permit required.
       - General Permit (GP) or Letter of Permission (LOP) required to satisfy Section 404 Compliance.
     - Indicate which GP or LOP is required:
       - Non-Reporting GP [GP-002-WI (expires 5/31/16) or GP-004-WI (expires 12/31/17)]
       - Reporting GP [GP-002-WI, GP-003-WI (expires 12/31/17), or GP-004-WI]
       - Letter of Permission [LOP-06-WI (in effect 4/17/06, no expiration date)]
       - Programmatic GP [Applies to projects not covered under the DOT/DNR Cooperative Agreement]

8. Wisconsin Department of Natural Resources Coordination - Section 401 Water Quality Certification
   - DNR has provided concurrence on the project wetland delineation. Received on: (Date)
   - Other - Explain

   Water Quality Certification has not been submitted but construction will not start until it has been received.

9. Section 10 Waters (Rivers and Harbors Act). For navigable waters of the United States (Section 10) indicate which 404 permit is required:
   - No Section 10 Waters
   - Section 10 Waters
     - Reporting GP [GP-003-WI (expires 12/31/17)]
     - Reporting GP [GP-004-WI (expires 12/31/17)]

   Indicate whether Pre-Construction Notification (PCN) to the USACE is:
   - Not applicable.
   - Required: Submitted on: NA (Date)

   Status of PCN
   - USACE has made the following determination on: NA (Date)

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

10. Wetland Avoidance and Impact Minimization: [Note: Required before compensation is acceptable]
    A. Wetland Avoidance:
       1. Describe methods used to avoid the use of wetlands, such as using a lower level of improvement or placing the roadway on new location, etc.
Wetland impacts were evaluated, however no measures to avoid wetland impacts were identified for wetlands 1 through 3.

2. Indicate the total area of wetlands avoided:
   Acres: None

B. Minimize the amount of wetlands affected:
   1. Describe methods used to minimize the use of wetlands, such as increasing side slopes or use of retaining walls or beam guard, equalizer pipes, upland disposal of hydric soils, etc.:

   Wetland impacts were evaluated, however no measures to minimize wetland impacts were identified for wetlands 1 through 3.

   2. Indicate the total area of wetlands saved through minimization:
      Acres: None

11. Compensation for Unavoidable Wetland Loss:
    According to Section 404(b)(1) of the Clean Water Act, wetland compensatory mitigation procedures and sequencing will conform to the U.S. Army Corps of Engineers (USACE) and U.S. Environmental Protection Agency (EPA) joint rule on Compensatory Mitigation for Losses of Aquatic Resources (33 Code of Federal Regulations [CFR] Parts 325 and 332 and 40 CFR Part 230, dated April 10, 2008). Compensatory mitigation will be consistent with amendments to the Cooperative Agreement between the Wisconsin DNR and WisDOT on compensatory mitigation for unavoidable wetland losses (July 2012), and the WisDOT Interagency Coordination Agreement and Wetland Mitigation Banking Technical Guidelines with Wisconsin DNR, USACE, EPA, U.S. Fish and Wildlife Service, and FHWA (March 2002).

<table>
<thead>
<tr>
<th>Type</th>
<th>Acre(s) Loss</th>
<th>Ratio</th>
<th>Compensation Type and Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>On-site</td>
<td>DOT Mitigation Bank site</td>
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</tr>
<tr>
<td>RPF(N)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>RPF(D)</td>
<td>0.003</td>
<td>1.2:1</td>
<td>0.003</td>
</tr>
<tr>
<td>RPE(N)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RPE(D)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M(N)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M(D)</td>
<td>0.002</td>
<td>1.2:1</td>
<td>0.003</td>
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<td>SM</td>
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<tr>
<td>DM</td>
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<tr>
<td>AB(N)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>AB(D)</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>SS</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>WS(N)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WS(D)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bog</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

D = Degraded
N = Non-degraded

12. If compensation is not possible within the drainage area and floristic province thru the use of the DOT mitigation bank, explain why and describe how a search for an on-site compensation site was conducted:

13. Summarize the coordination with other agencies regarding the compensation for unavoidable wetland losses. Attach appropriate correspondence.
Factor Sheet C-1b

1. Describe Wetlands:

<table>
<thead>
<tr>
<th>Wetland</th>
<th>Name (if known) or wetland number</th>
<th>County</th>
<th>Location (Section-Township-Range)</th>
<th>Location (Latitude)</th>
<th>Location (Longitude)</th>
<th>Location Map</th>
<th>Wetland Type(s)</th>
<th>Wetland Loss</th>
<th>Wetland is: (Check all that apply)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland 4</td>
<td>Sample Site 6</td>
<td>Waukesha</td>
<td>SW Quarter, Section 15, T7N, R20E</td>
<td>43° 03' 38.50&quot; N</td>
<td>88° 06' 38.04&quot; W</td>
<td>See Exhibit 38</td>
<td>RPE</td>
<td>0.30 acre</td>
<td>Yes, No</td>
</tr>
<tr>
<td>Wetland 5</td>
<td>Sample Site 9</td>
<td>Waukesha</td>
<td>SE Quarter, Section 15, T7N, R20E</td>
<td>43° 03' 40.46&quot; N</td>
<td>88° 06' 33.89&quot; W</td>
<td>See Exhibit 38</td>
<td>RPE</td>
<td>0.01 acre</td>
<td>Yes, No</td>
</tr>
<tr>
<td>Wetland 6</td>
<td>Sample Site 11</td>
<td>Waukesha</td>
<td>SE Quarter, Section 15, T7N, R20E</td>
<td>43° 03' 40.44&quot; N</td>
<td>88° 06' 31.77&quot; W</td>
<td>See Exhibit 38</td>
<td>WS</td>
<td>0.16 acre</td>
<td>Yes, No</td>
</tr>
</tbody>
</table>

- 1 Use wetland numbering from the project wetland delineation report.
- 2 Use wetland types as specified in the “WisDOT FDM 24-5 Attachment 10.2 Wetland Type Correspondence Table”
- 3 If wetland is contiguous to a stream, complete Factor Sheet C-2, Rivers, Streams and Floodplains Impact Evaluation. If wetland is contiguous to a lake or other water body, complete Factor Sheet C-3, Lake or Water Body Impact Evaluation.

2. Are any impacted wetlands considered “wetlands of special status” per WisDOT Wetland Mitigation Banking Technical Guideline, page 10 (6 categories)?

- [ ] No
- ☒ Yes:
  - ☒ Advanced Identification Program (ADID) Wetlands
  - ☑ Public or private expenditure has been made to restore, protect, or ecologically manage the wetland on either public or private land
  - [ ] Other – Describe: __________________________

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

The proposed work would have an impact on approximately 1.01 acres of wetlands. The proposed work would include widening the existing two-lane facility to a four-lane, divided highway. A portion of the existing ditches, some of which are considered wetlands, along the corridor would be filled due to the widening and addition or reconstruction of a path and trail. The existing culverts/structures on North Avenue over the unnamed tributary of Poplar Creek, Dousman Ditch, and Underwood Creek would be extended or reconstructed, which would have impacts on adjacent wetlands due to roadway profile and structure width modifications.

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

Expected species include various waterfowl, songbirds, mammals, reptiles, and amphibians typical of urban wetlands in the Midwest.
5. Federal Highway Administration (FHWA) Wetland Policy:

☐ Not Applicable - Explain

☐ Individual Wetland Finding Required - Summarize why there are no practicable alternatives to the use of the wetland.

☒ Statewide Wetland Finding: NOTE: All three boxes below must be checked for the Statewide Wetland Finding to apply.

☒ Project is either a bridge replacement or other reconstruction within 0.3 mile of the existing location.
☒ The project requires the use of 7.4 acres or less of wetlands.
☒ The project has been coordinated with the DNR and there have been no significant concerns expressed over the proposed use of the wetlands.

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

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

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

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

Indicate area of wetlands filled: 1.01 acres total

Type of 404 permit anticipated:
☐ Individual Section 404 Permit required.
☒ General Permit (GP) or Letter of Permission (LOP) required to satisfy Section 404 Compliance.

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

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

☐ DNR has provided concurrence on the project wetland delineation. Received on: (Date)
☒ Other- Explain

Water Quality Certification has not been submitted but construction will not start until it has been received.

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

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

Indicate whether Pre-Construction Notification (PCN) to the USACE is:
☐ Not applicable.
☐ Required: Submitted on: NA (Date)

Status of PCN
USACE has made the following determination on: NA (Date)

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

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

A. Wetland Avoidance:

1. Describe methods used to avoid the use of wetlands, such as using a lower level of improvement or placing the roadway on new location, etc.:
Wetland impacts were evaluated, however no measures to avoid wetland impacts were identified for wetlands 4 through 6.

2. Indicate the total area of wetlands avoided:
   Acres: None

B. Minimize the amount of wetlands affected:
   1. Describe methods used to minimize the use of wetlands, such as increasing side slopes or use of retaining walls or beam guard, equalizer pipes, upland disposal of hydric soils, etc.:

   Wetland impacts were evaluated, however no measures to minimize wetland impacts were identified for wetlands 4 through 6.

2. Indicate the total area of wetlands saved through minimization:
   Acres: None

11. Compensation for Unavoidable Wetland Loss:
    According to Section 404(b)(1) of the Clean Water Act, wetland compensatory mitigation procedures and sequencing will conform to the U.S. Army Corps of Engineers (USACE) and U.S. Environmental Protection Agency (EPA) joint rule on Compensatory Mitigation for Losses of Aquatic Resources (33 Code of Federal Regulations [CFR] Parts 325 and 332 and 40 CFR Part 230, dated April 10, 2008). Compensatory mitigation will be consistent with amendments to the Cooperative Agreement between the Wisconsin DNR and WisDOT on compensatory mitigation for unavoidable wetland losses (July 2012), and the WisDOT Interagency Coordination Agreement and Wetland Mitigation Banking Technical Guidelines with Wisconsin DNR, USACE, EPA, U.S. Fish and Wildlife Service, and FHWA (March 2002).

<table>
<thead>
<tr>
<th>Type</th>
<th>Acre(s)</th>
<th>Ratio</th>
<th>Compensation Type and Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Loss</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RPF(N) Riparian wetland (wooded)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RPF(D) Degraded riparian wetland (wooded)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RPE(N) Riparian wetland (emergent)</td>
<td>0.31</td>
<td>1.2:1</td>
<td>0.37</td>
</tr>
<tr>
<td>RPE(D) Degraded riparian wetland (emergent)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M(N) Wet and sedge meadows, wet prairie, vernal pools, fens</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M(D) Degraded meadow</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SM Shallow marsh</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DM Deep marsh</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB(N) Aquatic bed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB(D) Degraded aquatic bed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SS Shrub Swamp, shrub carr, alder thicket</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WS(N) Wooded swamp</td>
<td>0.16</td>
<td>1.2:1</td>
<td>0.19</td>
</tr>
<tr>
<td>WS(D) Degradedwooded swamp</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bog Open and forested bogs</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

D = Degraded  
N = Non-degraded

12. If compensation is not possible within the drainage area and floristic province thru the use of the DOT mitigation bank, explain why and describe how a search for an on-site compensation site was conducted:

13. Summarize the coordination with other agencies regarding the compensation for unavoidable wetland losses. Attach appropriate correspondence.
Factor Sheet C-1c

1. Describe Wetlands:

<table>
<thead>
<tr>
<th>Wetland 7</th>
<th>Wetland 8</th>
<th>Wetland 9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name (if known) or wetland number¹</td>
<td>Sample Site 8</td>
<td>Sample Site 12</td>
</tr>
<tr>
<td>County</td>
<td>Waukesha</td>
<td>Waukesha</td>
</tr>
<tr>
<td>Location (Section-Township-Range)</td>
<td>NE Quarter, Section 22, T7N, R20E</td>
<td>NW Quarter, Section 23, T7N, R20E</td>
</tr>
<tr>
<td>Location (Latitude)</td>
<td>43° 03' 36.87&quot; N</td>
<td>43° 03' 37.05&quot; N</td>
</tr>
<tr>
<td>Location (Longitude)</td>
<td>88° 06' 34.89&quot; W</td>
<td>88° 06' 04.72&quot; W</td>
</tr>
<tr>
<td>Location Map</td>
<td>See Exhibit 38</td>
<td>See Exhibit 38</td>
</tr>
<tr>
<td>Wetland Type(s)²</td>
<td>RPE(D)</td>
<td>WS</td>
</tr>
<tr>
<td>Wetland Loss</td>
<td>0.09 acre</td>
<td>0.07 acre</td>
</tr>
<tr>
<td>Wetland is: (Check all that apply)³</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>• Isolated from stream, lake or other surface water body</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>• Not contiguous (in contact with) a stream, lake, or other water body, but within 100-year floodplain</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>• If adjacent or contiguous, identify stream, lake or water body</td>
<td>Dousman Ditch</td>
<td>Underwood Creek</td>
</tr>
</tbody>
</table>

¹ Use wetland numbering from the project wetland delineation report.
² Use wetland types as specified in the “WisDOT FDM 24-5 Attachment 10.2 Wetland Type Correspondence Table”
³ If wetland is contiguous to a stream, complete Factor Sheet C-2, Rivers, Streams and Floodplains Impact Evaluation. If wetland is contiguous to a lake or other water body, complete Factor Sheet C-3, Lake or Water Body Impact Evaluation.

2. Are any impacted wetlands considered “wetlands of special status” per WisDOT Wetland Mitigation Banking Technical Guideline, page 10 (6 categories)?

☐ No
☐ Yes:
☐ Advanced Identification Program (ADID) Wetlands
☐ Public or private expenditure has been made to restore, protect, or ecologically manage the wetland on either public or private land
☐ Other – Describe: ________________________

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

The proposed work would have an impact on approximately 1.01 acres of wetlands. The proposed work would include widening the existing two-lane facility to a four-lane, divided highway. A portion of the existing ditches, some of which are considered wetlands, along the corridor would be filled due to the widening and addition or reconstruction of a path and trail. The existing culverts/structures on North Avenue over the unnamed tributary of Poplar Creek, Dousman Ditch, and Underwood Creek would be extended or reconstructed, which would have impacts on adjacent wetlands due to roadway profile and structure width modifications.

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

Expected species include various waterfowl, songbirds, mammals, reptiles, and amphibians typical of urban wetlands in the Midwest.
5. Federal Highway Administration (FHWA) Wetland Policy:

☐ Not Applicable - Explain

☐ Individual Wetland Finding Required - Summarize why there are no practicable alternatives to the use of the wetland.

☒ Statewide Wetland Finding: NOTE: All three boxes below must be checked for the Statewide Wetland Finding to apply.

☒ Project is either a bridge replacement or other reconstruction within 0.3 mile of the existing location.
☐ The project requires the use of 7.4 acres or less of wetlands.
☒ The project has been coordinated with the DNR and there have been no significant concerns expressed over the proposed use of the wetlands.

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

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

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

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

Indicate area of wetlands filled: 1.01 acres total

Type of 404 permit anticipated:

☐ Individual Section 404 Permit required.
☒ General Permit (GP) or Letter of Permission (LOP) required to satisfy Section 404 Compliance.

Indicate which GP or LOP is required:

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

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

☐ DNR has provided concurrence on the project wetland delineation. Received on: (Date)
☒ Other - Explain

Water Quality Certification has not been submitted but construction will not start until it has been received.

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

☒ No Section 10 Waters
☐ Section 10 Waters

☒ Reporting GP [GP-003-WI (expires 12/31/17)]
☐ Reporting GP [GP-004-WI (expires 12/31/17)]

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

☐ Not applicable.
☒ Required: Submitted on: NA (Date)

Status of PCN

USACE has made the following determination on: NA (Date)

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

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

A. Wetland Avoidance:

1. Describe methods used to avoid the use of wetlands, such as using a lower level of improvement or placing the roadway on new location, etc.:
Wetland impacts were evaluated, however no measures to avoid wetland impacts were identified for wetlands 7 through 9.

2. Indicate the total area of wetlands avoided:
   Acres: None

B. Minimize the amount of wetlands affected:
   1. Describe methods used to minimize the use of wetlands, such as increasing side slopes or use of retaining walls or beam guard, equalizer pipes, upland disposal of hydric soils, etc.:

   Wetland impacts were evaluated, however no measures to minimize wetland impacts were identified for wetland 7. Impacts to wetland 8 were minimized by increasing side slopes from 4:1 to 3:1. Impacts to wetland 9 were minimized by changing the profile and eliminating the 2-foot freeboard.

2. Indicate the total area of wetlands saved through minimization:
   Acres: 0.026

11. Compensation for Unavoidable Wetland Loss:
According to Section 404(b)(1) of the Clean Water Act, wetland compensatory mitigation procedures and sequencing will conform to the U.S. Army Corps of Engineers (USACE) and U.S. Environmental Protection Agency (EPA) joint rule on Compensatory Mitigation for Losses of Aquatic Resources (33 Code of Federal Regulations [CFR] Parts 325 and 332 and 40 CFR Part 230, dated April 10, 2008). Compensatory mitigation will be consistent with amendments to the Cooperative Agreement between the Wisconsin DNR and WisDOT on compensatory mitigation for unavoidable wetland losses (July 2012), and the WisDOT Interagency Coordination Agreement and Wetland Mitigation Banking Technical Guidelines with Wisconsin DNR, USACE, EPA, U.S. Fish and Wildlife Service, and FHWA (March 2002).

<table>
<thead>
<tr>
<th>Type</th>
<th>Acre(s) Loss</th>
<th>Ratio</th>
<th>Compensation Type and Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>On-site</td>
</tr>
<tr>
<td>RPF(N)</td>
<td>0.03</td>
<td>1.2:1</td>
<td></td>
</tr>
<tr>
<td>RPF(D)</td>
<td>Degraded riparian wetland (wooded)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RPE(N)</td>
<td>Riparian wetland (emergent)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RPE(D)</td>
<td>Degraded riparian wetland (emergent)</td>
<td>0.09</td>
<td>1.2:1</td>
</tr>
<tr>
<td>M(N)</td>
<td>Wet and sedge meadows, wet prairie, vernal pools, fens</td>
<td></td>
<td></td>
</tr>
<tr>
<td>M(D)</td>
<td>Degraded meadow</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SM</td>
<td>Shallow marsh</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DM</td>
<td>Deep marsh</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB(N)</td>
<td>Aquatic bed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AB(D)</td>
<td>Degraded aquatic bed</td>
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<td></td>
</tr>
<tr>
<td>SS</td>
<td>Shrub Swamp, shrub carr, alder thicket</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WS(N)</td>
<td>Wooded swamp</td>
<td>0.07</td>
<td>1.2:1</td>
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<tr>
<td>WS(D)</td>
<td>Degraded wooded swamp</td>
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<td></td>
</tr>
<tr>
<td>Bog</td>
<td>Open and forested bogs</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

D = Degraded
N = Non-degraded

12. If compensation is not possible within the drainage area and floristic province thru the use of the DOT mitigation bank, explain why and describe how a search for an on-site compensation site was conducted:

13. Summarize the coordination with other agencies regarding the compensation for unavoidable wetland losses. Attach appropriate correspondence.
1. Describe Wetlands:

<table>
<thead>
<tr>
<th>Wetland 10</th>
<th>Wetland 11</th>
<th>Wetland 12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name (if known)</td>
<td>Sample Site 16</td>
<td>Sample Site 17</td>
</tr>
<tr>
<td>County</td>
<td>Waukesha</td>
<td>Waukesha</td>
</tr>
<tr>
<td>Location (Section-Township-Range)</td>
<td>SE Quarter, Section 14, T7N, R20E</td>
<td>SW Quarter, Section 24, T7N, R20E</td>
</tr>
<tr>
<td>Location (Latitude)</td>
<td>43° 03' 38.56&quot; N</td>
<td>43° 03' 36.86&quot; N</td>
</tr>
<tr>
<td>Location (Longitude)</td>
<td>88° 05' 17.44&quot; W</td>
<td>88° 04' 57.84&quot; W</td>
</tr>
<tr>
<td>Location Map</td>
<td>See Exhibit 38</td>
<td>See Exhibit 38</td>
</tr>
<tr>
<td>Wetland Type(s)</td>
<td>RPF</td>
<td>M(D)</td>
</tr>
<tr>
<td>Wetland Loss</td>
<td>0.33 acre</td>
<td>0.02 acre</td>
</tr>
<tr>
<td>Wetland is: (Check all that apply)</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>• Isolated from stream, lake or other surface water body</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>• Not contiguous (in contact with) a stream, lake, or other water body, but within 100-year floodplain</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>• If adjacent or contiguous, identify stream, lake or water body</td>
<td>Underwood Creek</td>
<td></td>
</tr>
</tbody>
</table>

1 Use wetland numbering from the project wetland delineation report.
2 Use wetland types as specified in the “WisDOT FDM 24-5 Attachment 10.2 Wetland Type Correspondence Table”
3 If wetland is contiguous to a stream, complete Factor Sheet C-2, Rivers, Streams and Floodplains Impact Evaluation. If wetland is contiguous to a lake or other water body, complete Factor Sheet C-3, Lake or Water Body Impact Evaluation.

2. Are any impacted wetlands considered “wetlands of special status” per WisDOT Wetland Mitigation Banking Technical Guideline, page 10 (6 categories)?

☐ No
☒ Yes:
☐ Advanced Identification Program (ADID) Wetlands
☐ Public or private expenditure has been made to restore, protect, or ecologically manage the wetland on either public or private land
☐ Other – Describe: __________________________

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

The proposed work would have an impact on approximately 1.01 acres of wetlands. The proposed work would include widening the existing two-lane facility to a four-lane, divided highway. A portion of the existing ditches, some of which are considered wetlands, along the corridor would be filled due to the widening and addition or reconstruction of a path and trail. The existing culverts/structures on North Avenue over the unnamed tributary of Poplar Creek, Dousman Ditch, and Underwood Creek would be extended or reconstructed, which would have impacts on adjacent wetlands due to roadway profile and structure width modifications.

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

Expected species include various waterfowl, songbirds, mammals, reptiles, and amphibians typical of urban wetlands in the Midwest.
5. Federal Highway Administration (FHWA) Wetland Policy:
- Not Applicable - Explain
- Individual Wetland Finding Required - Summarize why there are no practicable alternatives to the use of the wetland.
- Statewide Wetland Finding: NOTE: All three boxes below must be checked for the Statewide Wetland Finding to apply.
  - Project is either a bridge replacement or other reconstruction within 0.3 mile of the existing location.
  - The project requires the use of 7.4 acres or less of wetlands.
  - The project has been coordinated with the DNR and there have been no significant concerns expressed over the proposed use of the wetlands.

6. Erosion control or storm water management practices which will be used to protect the wetland are indicated on form: (Check all that apply)
- Factor Sheet D-6, Erosion Control Evaluation.
- Factor Sheet D-5, Stormwater Evaluation.
- Neither Factor Sheet - Briefly describe measures to be used.

7. U S Army Corps of Engineers (USACE) Jurisdiction - Section 404 Permit (Clean Water Act)
- Not Applicable - No fill to be placed in wetlands or wetlands are not under USACE jurisdiction.
- Applicable - Fill will be placed in wetlands under the jurisdiction of the USACE.
  - Indicate area of wetlands filled: 1.01 acres total
  - Type of 404 permit anticipated:
    - Individual Section 404 Permit required.
    - General Permit (GP) or Letter of Permission (LOP) required to satisfy Section 404 Compliance.
    - Indicate which GP or LOP is required:
      - Non-Reporting GP [GP-002-WI (expires 5/31/16) or GP-004-WI (expires 12/31/17)]
      - Reporting GP [GP-002-WI, GP-003-WI (expires 12/31/17), or GP-004-WI]
      - Letter of Permission [LOP-06-WI (in effect 4/17/06, no expiration date)]
      - Programmatic GP [Applies to projects not covered under the DOT/DNR Cooperative Agreement]

8. Wisconsin Department of Natural Resources Coordination - Section 401 Water Quality Certification
- DNR has provided concurrence on the project wetland delineation. Received on: (Date)
- Other- Explain

   Water Quality Certification has not been submitted but construction will not start until it has been received.

9. Section 10 Waters (Rivers and Harbors Act). For navigable waters of the United States (Section 10) indicate which 404 permit is required:
- No Section 10 Waters
- Section 10 Waters
  - Reporting GP [GP-003-WI (expires 12/31/17)]
  - Reporting GP [GP-004-WI (expires 12/31/17)]

   Indicate whether Pre-Construction Notification (PCN) to the USACE is:
   - Not applicable.
   - Required: Submitted on: NA (Date)

   Status of PCN
   USACE has made the following determination on: NA (Date)

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

10. Wetland Avoidance and Impact Minimization: [Note: Required before compensation is acceptable]
   A. Wetland Avoidance:
      1. Describe methods used to avoid the use of wetlands, such as using a lower level of improvement or placing the roadway on new location, etc.:
Wetland impacts were evaluated, however no measures to avoid wetland impacts were identified for wetlands 10 through 12.

2. Indicate the total area of wetlands avoided:
   Acres: None

B. Minimize the amount of wetlands affected:
   1. Describe methods used to minimize the use of wetlands, such as increasing side slopes or use of retaining walls or beam guard, equalizer pipes, upland disposal of hydric soils, etc.:

   Wetland impacts were evaluated, however no measures to minimize wetland impacts were identified for wetland 11. Impacts to wetland 10 were minimized by changing the profile and eliminating the 2-foot freeboard. Impacts to wetland 12 were minimized by increasing side slopes from 4:1 to 3:1.

2. Indicate the total area of wetlands saved through minimization:
   Acres: 0.064

11. Compensation for Unavoidable Wetland Loss:
   According to Section 404(b)(1) of the Clean Water Act, wetland compensatory mitigation procedures and sequencing will conform to the U.S. Army Corps of Engineers (USACE) and U.S. Environmental Protection Agency (EPA) joint rule on Compensatory Mitigation for Losses of Aquatic Resources (33 Code of Federal Regulations [CFR] Parts 325 and 332 and 40 CFR Part 230, dated April 10, 2008). Compensatory mitigation will be consistent with amendments to the Cooperative Agreement between the Wisconsin DNR and WisDOT on compensatory mitigation for unavoidable wetland losses (July 2012), and the WisDOT Interagency Coordination Agreement and Wetland Mitigation Banking Technical Guidelines with Wisconsin DNR, USACE, EPA, U.S. Fish and Wildlife Service, and FHWA (March 2002).

<table>
<thead>
<tr>
<th>Type</th>
<th>Acre(s) Loss</th>
<th>Ratio</th>
<th>Compensation Type and Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>On-site</td>
</tr>
<tr>
<td>RPF(N)</td>
<td>0.33</td>
<td>1.2:1</td>
<td>0.39</td>
</tr>
<tr>
<td>RPF(D)</td>
<td></td>
<td></td>
<td>0.39</td>
</tr>
<tr>
<td>RPE(N)</td>
<td></td>
<td></td>
<td>0.39</td>
</tr>
<tr>
<td>RPE(D)</td>
<td></td>
<td></td>
<td>0.39</td>
</tr>
<tr>
<td>M(N)</td>
<td></td>
<td></td>
<td>0.39</td>
</tr>
<tr>
<td>M(D)</td>
<td>0.02</td>
<td>1.2:1</td>
<td>0.03</td>
</tr>
<tr>
<td>SM</td>
<td></td>
<td></td>
<td>0.03</td>
</tr>
<tr>
<td>DM</td>
<td></td>
<td></td>
<td>0.03</td>
</tr>
<tr>
<td>AB(N)</td>
<td></td>
<td></td>
<td>0.03</td>
</tr>
<tr>
<td>AB(D)</td>
<td></td>
<td></td>
<td>0.03</td>
</tr>
<tr>
<td>SS</td>
<td></td>
<td></td>
<td>0.03</td>
</tr>
<tr>
<td>WS(N)</td>
<td>0.002</td>
<td>1.2:1</td>
<td>0.002</td>
</tr>
<tr>
<td>WS(D)</td>
<td></td>
<td></td>
<td>0.002</td>
</tr>
<tr>
<td>Bog</td>
<td></td>
<td></td>
<td>0.002</td>
</tr>
</tbody>
</table>

D = Degraded  
N = Non-degraded

12. If compensation is not possible within the drainage area and floristic province thru the use of the DOT mitigation bank, explain why and describe how a search for an on-site compensation site was conducted:

13. Summarize the coordination with other agencies regarding the compensation for unavoidable wetland losses. Attach appropriate correspondence.
### Federal Resources

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

   **Date of Official Species List:** May 25, 2017; **January 29, 2019**

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

<table>
<thead>
<tr>
<th>Species Common Name</th>
<th>Species Scientific Name</th>
<th>Federal Status</th>
<th>Effect Determination</th>
<th>Justification/ Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Long-eared bat</td>
<td>Myotis septentrionalis</td>
<td>Threatened</td>
<td>May affect, not likely to adversely affect</td>
<td>There are no known hibernacula or roost-trees in Waukesha County, the project would not take trees from more than 0.25 mile from the existing roadway. In addition, this is a well-developed corridor with very little suitable habitat for this species. According to consultation with the Wisconsin DNR, there would be no impacts to this species from the North Avenue Reconstruction Project.</td>
</tr>
<tr>
<td>Poweshiek Skipperling</td>
<td>Oarisma poweshiek</td>
<td>Endangered</td>
<td>No Effect</td>
<td>The project corridor is not within this species’ critical habitat area. Habitat for this species is high-quality tallgrass prairie, which is not present in the corridor. Further, the National Heritage Inventory and other Wisconsin DNR records do not indicate a presence of this species in the area. Therefore, the project would have no effect on the Poweshiek skipperling.</td>
</tr>
<tr>
<td>Eastern Prairie Fringed Orchid</td>
<td>Platanthera leucophaea</td>
<td>Threatened</td>
<td>No Effect</td>
<td>The National Heritage Inventory and other Wisconsin Department of Natural Resources (DNR) records did not indicate a presence of this species in the area. The species requires full sun for optimum growth and flowering, as well as a grassy habitat with little or no woody encroachment. The project corridor contains an abundance of wooded areas; therefore, the project would have no effect the eastern prairie fringed orchid.</td>
</tr>
<tr>
<td>Rusty Patched Bumble Bee</td>
<td>Bombus affinis</td>
<td>Threatened</td>
<td>May affect, not likely to adversely affect</td>
<td>The project will not remove areas with diverse wildflowers necessary for habitat. In addition, the surrounding area will continue to support the habitat needed to allow the species to survive.</td>
</tr>
</tbody>
</table>
2. Is there designated or proposed critical habitat in the vicinity of the project?

☑ No
☐ Yes – Describe critical habitat, proximity to project, and potential impacts to the critical habitat.

3. Has Section 7 consultation with FWS been completed?

☐ No – Explain:
☑ Yes – Describe consultation efforts and conclusions:

Correspondence with FWS on September 13, 2016 included the Final 4(d) rule for the NLEB and concluded no effect determinations for all other listed species. There was no response following the 30-day waiting period which indicated FWS concurrence. In March 2017, the Rusty Patched Bumble Bee was listed as an endangered species. Following this, an updated Official Species list indicates no new species in the corridor. No additional coordination with USFWS needed at this time. See Appendix E.

In January 2019, following completion of the Environmental Assessment, an updated Official Species list now contains the Rusty Patched Bumble Bee. Correspondence with the FWS on February 6, 2019 indicated that the project may affect, not likely to adversely affect the species. On March 6, 2019, USFWS concurred with this determination (see Appendix B).

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

☐ No
☑ Yes – Describe. Include commitments on Basic Sheet 8, Environmental Commitments.

The designer is coordinating the removal of trees all year round. The designer will need to coordinate with USFWS again during the Section 404 permitting stage and prior to construction (one month before final plan (PS&E completion)) to determine if conditions have changed. The project team will continue to coordinate with USFWS, if any requests are made after submittal based on the final 4(d) rule. The designer will ensure this commitment is added to the special provisions. The project engineer and construction project leader will assure that the requirements of the special provisions are met.

State Resources

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

☐ None identified.
☑ Yes – Complete the following table and include the date of the most recent NHI review by WDNR.

Date of Natural Heritage Inventory (NHI) database review: August 22, 2016

<table>
<thead>
<tr>
<th>Species Common Name</th>
<th>Species Scientific Name</th>
<th>State Status</th>
<th>Effect Determination</th>
<th>Justification/Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harbinger-of-spring</td>
<td>Erigenia bulbosa</td>
<td>Endangered</td>
<td>No Effect</td>
<td>According to the Wisconsin DNR, it is highly unlikely this species is within the expanded footprint of the right-of-way, and no further coordination is needed. Therefore, there would be no effect on this species.</td>
</tr>
</tbody>
</table>

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

☐ No – Explain:
☑ Yes – Attach and reference location in this document:

An initial project review letter from the DNR was received on August 22, 2016. A review of the NHI for any updated species is under review. See Appendix E.
3. Are avoidance, minimization or compensatory mitigation measures required?

☐ No
☐ Yes – Describe. Include commitments on Basic Sheet 8, Environmental Commitments.

Other Protected Resources

Bald and Golden Eagles

1. Are bald and/or golden eagles known to occur in the vicinity of the project?

☐ None identified.
☐ Yes

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

☐ No – Explain:
☐ Yes – Describe general proximity to project and potential impacts:

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

☐ No – Explain: No bald or golden eagles in project area so coordination not required
☐ Yes – Attach and reference location in this document:

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

☐ No
☐ Yes – Describe. Include commitments on Basic Sheet 8, Environmental Commitments.

Migratory Birds

1. Are migratory birds known to occur in the vicinity of the project?

☐ None identified.
☐ Yes

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

☐ No – Explain: There will be no impact to migratory birds
☐ Yes – Describe general proximity to project and potential impacts:

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

☐ No – Explain:
☐ Yes – Attach and reference location in this document: Appendix E

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

☐ No
☐ Yes – Describe. Include commitments on Basic Sheet 8, Environmental Commitments.
1. Indicate whether the proposed action may cause a discharge or will discharge to the waters of the state (Trans 401.03).

Underwood Creek is the primary natural resource that would receive stormwater runoff from the reconstructed North Avenue bridge and approaches. The Wisconsin Department of Natural Resources (DNR) considers this section of Underwood Creek to be an impaired waterway under section 303d (see the Rivers, Streams, and Floodplains Evaluation factor sheets for more information). In addition, North Avenue crosses Dousman Ditch, a tributary to Underwood Creek, and an unnamed tributary to Poplar Creek, which also receive stormwater from the roadway. The existing culverts would be extended at Dousman Ditch.

2. Special consideration should be given to areas that are sensitive to water quality degradation. Indicate whether or not a sensitive area is present and provide specific recommendations on the level of protection needed.

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

Describe protection recommendations: WisDOT’s standard stormwater protection measures are sufficient to protect the water quality in the streams.

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

☐ No additional or special circumstances are present.
☒ Yes – Additional or special circumstances exist. Indicate all that are present.
☐ Areas of groundwater discharge
☐ Areas of groundwater recharge
☐ Stream relocations
☐ Overland flow/runoff
☐ Long or steep cut or fill slopes
☐ High velocity flows
☐ Cold water stream
☐ Impaired waterway
☐ Large quantity flows
☐ Exceptional/outstanding resource waters
☐ Increased backwater
☐ Total Maximum Daily Load (TMDL)
☒ Other – Describe any unique, innovative, or atypical stormwater management measures to be used to manage additional or special circumstances: Both Underwood Creek and Dousman Ditch are impaired waterways on Wisconsin DNR’s Section 303(d) list. Median bioretention swales and three detention basins would be installed to manage increased peak flows and achieve water quality TSS reduction criteria according to Milwaukee Metropolitan Sewerage District (MMSD) Chapter 13 and NR 151, respectively. See Exhibit 41 for the location of the detention basins. MMSD Chapter 13 rules are in effect and an approved stormwater management plan is required from the district.

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

The reconstructed North Avenue corridor and associated approach roads/intersections would drain to proposed storm sewers. The sewers would direct flow to detention basins or bioretention swales prior to eventual discharge at project outfalls. Two detention basins will be located just east of the intersection of North Avenue with Pilgrim Road and a third will be located in the northwest corner of the intersection of North Avenue with Hollyhock Lane. The proposed median would also be utilized to collect and manage stormwater. Because the corridor is being widened from two to four lanes, there would be an appreciable increase in impervious area and, therefore, stormwater runoff. At certain locations, 1-foot sumps placed in the new storm sewer catch basins would collect sediments. Waukesha County (Project Sponsor) would be responsible for maintenance of the sumps.
To minimize adverse effects from stormwater runoff during construction, Waukesha County (Project Sponsor) would ensure that an erosion and sediment control plan is prepared and implemented.

Waukesha County (Project Sponsor) would follow the regulations for highway project stormwater management, including the WisDOT Facilities Development Manual, Chapter 10, Erosion Control and Storm Water Quality; Wisconsin Administrative Code Chapter TRANS 401, Construction Site Erosion Control and Storm Water Management Procedures for Department Actions; and the WisDOT/Wisconsin DNR Cooperative Agreement Amendment—Memorandum of Understanding on Erosion Control and Storm Water Management.

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

A specific stormwater management plan will be developed in the preliminary engineering design phase when more detailed engineering information is available. The plan is required as part of MMSD’s Chapter 13 rules and will be developed in view of the overall stormwater management strategies listed under Question 3, which also are compatible with TRANS 401 requirements.

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

- [ ] Swale treatment (parallel to flow)
  - Trans 401.106(10)
- [ ] Vegetated filter strips
  - (perpendicular to flow)
- [ ] Constructed storm water wetlands
- [ ] Buffer areas – Trans 401.106(6)
- [ ] In-line storm sewer treatment, such as catch basins
  - non-mechanical treatment systems.
- [ ] Detention/ retention basins – Trans 401.106(6)(3)
- [ ] Distancing outfalls from waterway edge
- [ ] Infiltration – Trans 401.106(5)
- [ ] Other – Describe:

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

- [ ] No – None identified
- [x] Yes – Has initial coordination with a drainage board been completed?
  - [ ] No – Explain why:
  - [ ] Yes – Discuss results:

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

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

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

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

- [ ] No – Explain why:
- [x] Yes – Coordination has been completed or is in process, describe: Coordination with downstream property owners is currently in process. The project outfalls have been identified, and efforts are underway as part of the stormwater management plan to document any changes in peak flow rate that would negatively effect downstream properties. MMSD Chapter 13 rules are in place for this corridor, which have explicit instructions in terms of controlling stormwater quantity as part of developed conditions. Further, for the Underwood Creek bridge crossing, the existing HEC-RAS model has been carefully evaluated in terms of any changes in downstream water surface profiles as part of the proposed bridge replacement.
Section 106 Coordination
Memorandum of Agreement
Memorandum of Agreement
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION AND
THE WISCONSIN STATE HISTORIC PRESERVATION OFFICER
Prepared pursuant to 36 CFR § 800.6(c)

Regarding
WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT I.D. 2766-00-01
W. North Avenue (CTH M) Reconstruction
WHS # 16-0973/WK
N. Calhoun Road to N. 124th Street
City of Brookfield and Village of Elm Grove
Waukesha County

WHEREAS, the Federal Highway Administration (FHWA) has been requested to participate in a project to reconstruct W. North Avenue (CTH M) from N. Calhoun Road to N. 124th Street in the City of Brookfield and Village of Elm Grove, Waukesha County, Wisconsin; and

WHEREAS, the FHWA is the lead agency on this project with responsibility for completing the requirements of Section 106 of the National Historic Preservation Act; and

WHEREAS, the FHWA has established the Project’s Area of Potential Effects (APE), as defined in 36 CFR § 800.16(d), to be properties adjacent to the roadway; and

WHEREAS, the FHWA, pursuant to 36 CFR § 800.4(c), has determined that the George & Frances Daubner Farmhouse and the Elm-Brook State Bank Building, both in the City of Brookfield, are eligible for inclusion in the National Register of Historic Places (National Register); and

WHEREAS, the FHWA has determined that the project will have an adverse effect on the George & Frances Daubner Farmhouse; and

WHEREAS, the FHWA has consulted with the Wisconsin State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act, 54 U.S.C. § 300101 (NHPA), and its implementing regulations (36 CFR Part 800) to resolve the adverse effect of the project on historic properties; and

WHEREAS, the FHWA intends to use the provisions of this Memorandum of Agreement (MOA) to address applicable requirements of Section 110(b) of the NHPA, 54 U.S.C. 306103; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT) participated in the consultation and concurs with this MOA; and
WHEREAS, Waukesha County Department of Public Works (hereafter cited as DPW) and Dr. Thomas Tang (Owner of the George & Frances Daubner House) have participated in the consultation and have been invited to be signatories to the MOA; and

WHEREAS, this undertaking is not on federal or tribal land as defined by the NHPA; therefore, all inadvertent human remain discoveries will be addressed in accordance with Wisconsin § 157.70; and

WHEREAS, post-review discoveries of non-human remain historic resources will be treated in accordance with 36 CFR 800.13(b); and

NOW, THEREFORE, the FHWA, and the Wisconsin SHPO agree that, upon execution of this MOA, and upon the FHWA’s decision to proceed with the Project, the FHWA shall ensure that the following stipulations are implemented in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS
The FHWA will ensure that the following stipulations are carried out:

1. **Driveway Entrance Relocation**
   a. The Waukesha County DPW, or its agent, will provide the property with a new driveway entrance, that will line up with the proposed median break along W. North Avenue, as well as an appropriate connection from the new driveway to the existing loop driveway on the property. Initiation of this stipulation will begin within one hundred twenty (120) days of the MOA execution. See Appendix A, #1 for further information

   b. All costs associated with the driveway entrance relocations and its connection to the existing circular/loop drive will be covered by the Waukesha County DPW

2. **Compensation for Driveway Entrance Marker Relocation**
   The Waukesha County DPW will reimburse Dr. Tang for the costs associated with the removal (prior to road construction) and reinstallation (following the road’s reconstruction) of the existing, non-contributing driveway entrance markers. See Appendix A, #2 for further information

3. **Vegetative Replacement and Screening**
   Within one hundred twenty (120) days of the MOA execution (and presumably at the same time the driveway entrance relocation discussion begins), the Waukesha County DPW or its agent will contact Dr. Tang to determine an appropriate plan following the process described in Appendix A, #3

4. **National Register of Historic Places Nomination**
   a. A Qualified Consultant will complete a National Register nomination for the George and Frances Daubner House, which Dr. Thomas Tang, the property owner, has agreed to. The new nomination will use the back edge of the new sidewalk as the south side
boundary. All other boundaries will conform to what is currently in place with the Determination of Eligibility (DOE). Details regarding the timeline, review process and deliverables for this stipulation are included in Attachment A #4

b. This stipulation will be executed and funded by Waukesha County DPW.

5. DISPUTE RESOLUTION
Should any signatory to this MOA (including any invited signatory), per 36 CFR 800.6(c)(1) and (2), object in writing at any time prior to termination of any actions proposed or the manner in which the terms of this MOA are implemented, WisDOT and the FHWA shall consult with such party to resolve the objection. The objection must specify how the actions or manner of implementation is counter to the goals, objectives, or specific stipulation of this MOA. If the FHWA determines that such objection cannot be resolved, the FHWA will:

A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the Advisory Council on Historic Preservation (ACHP). The ACHP shall provide the FHWA with its advice on the resolution of the objection within 30 days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP and signatories, and provide them with a copy of this written response. The FHWA will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the 30-day period, the FHWA may make a final decision on the dispute and proceed accordingly. Prior to proceeding, the FHWA shall notify the parties to this MOA of its decision regarding the dispute.

C. It is the FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute.

6. AMENDMENT
Any signatory to this agreement may propose to the agency that the agreement be amended. Whereupon the agency shall consult with the other signatory parties [including invited signatories per 36 CFR 800.6(c)] to this agreement to consider such an amendment. 36 CFR 800.6(c) shall govern the execution of any such amendment.

7. PROFESSIONAL QUALIFICATIONS
WisDOT shall ensure that all historic preservation work carried out pursuant to the agreement is carried out by or under the supervision of a person or persons meeting at a minimum the Secretary of the Interior's Professional Qualifications Standards in the field of architectural history, as published in 36 CFR Part 61.

8. TERMINATION
If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment as stated in CFR
800.6(c)(8). If within thirty (30) days an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

9. **SUNSET CLAUSE**

This agreement shall be null and void if all terms are not carried out within five (5) years from the date of its execution, unless the signatories agree in writing to an extension for carrying out its terms as stated in CFR 800.6(c)(5). Execution of this MOA by the FHWA and the Wisconsin SHPO, and implementation of its terms, evidences that the FHWA has complied with Section 106 on the project and its effects on historic properties and that the FHWA has taken into account the effects of the project on historic properties.
SIGNATORIES

FEDERAL HIGHWAY ADMINISTRATION

BY: Bethany Bacher-Gresock, Environmental Protection Specialist, Wisconsin Division FHWA
For Timothy C. Marshall, P.E. Acting Division Administrator, Wisconsin Division FHWA

Date: 4/10/2019
WisDOT Project I.D. 2766-00-01
W. North Avenue (CTH M) Reconstruction
City of Brookfield and Village of Elm Grove
Waukesha County

WISCONSIN STATE HISTORIC PRESERVATION OFFICER

BY: [Signature]
State Historic Preservation Officer

Date: 4/5/2019
INVITED SIGNATORIES

WISCONSIN DEPARTMENT OF TRANSPORTATION

BY: ________________________________ Date: 3-14-19
WisDOT Historic Preservation Officer
WisDOT Project I.D. 2766-00-01
W. North Avenue (CTH M) Reconstruction
City of Brookfield and Village of Elm Grove
Waukesha County

DR. THOMAS TANG, D.D.S.

BY: ___________________________ Date: 2.25.19

APPENDIX A
APPENDIX A

1. **Driveway Entrance Relocation**
   a. In determining the appropriate connection between the new driveway entrance to the existing circular/loop driveway, the Waukesha County DPW or its agent will contact the landowner to schedule and onsite visit to discuss the mitigation. If an onsite meeting cannot be arranged, the Waukesha County DPW or its agent will solicit the landowner’s intent through certified mail. If the landowner does not respond within thirty (30) days, the process will terminate.

   b. Either during or following the meeting with the landowner, Waukesha County DPW or its agent will formalize the driveway connection plan in writing and request review and acceptance of the plan. The landowner will have fourteen (14) calendar days to accept or reject the proposed driveway connection plan.

   c. The driveway connection will be built by the Waukesha County DPW's contractor as soon as the new driveway location has been built.

2. **Compensation and plan for Driveway Entrance Marker Relocation**
   a. Within sixty (60) days of the MOA’s execution, the property owner will contact an appropriate professional (or professionals; including, presumably, the contractor that most recently rebuilt the driveway entrance markers) to provide a cost estimate (or estimates) for both the removal and reinstallation of the existing, non-contributing driveway entrance markers. The property owner will, in turn, submit the estimate (or estimates) to the Waukesha County DPW for review prior to any work being done.

   b. Within six months of the initiation of the road’s reconstruction, Waukesha County DPW or its agent will contact the property owner by certified letter to inform them when construction will begin. The property owner will then engage their hired professional to remove the entrance markers and move them onto the property (to a location that will not impede the road’s reconstruction), where they will be stored for the duration of the reconstruction.

   c. Following the completion of the road’s reconstruction at the location of the subject property, Waukesha County DPW or its agent will contact the property owner to let them know that the driveway markers can, again, be reinstalled. If necessary, further clarification of the road’s ROW may need to be made by the County DPW (or its agent) to the property owner and/or the contractor so that the markers will be reinstalled outside the road’s ROW. The property owner has six (6) months to complete the reinstallation of the driveway entrance markers (unless cold weather is prohibitive).
d. Following the reinstallation of the driveway entrance markers (by the contractor hired by the property owner), the property owner will contract the Waukesha County Highway Commissioner to let them know that the reinstallation is complete. At that time, the property owner will also remit the invoice for the payment to the professional to the County or its agent for payment. The Waukesha County DPW or its agent will conduct a site visit and provide a digital photograph of the reinstalled markers to WisDOT CRT for their records.

e. Payment for removal and reinstallation services will be made by the Waukesha County DPW to the hired professional following each action (removal and reinstallation) and following remittance of the invoice(s) by the property owner to the Waukesha County DPW or its agent.

3. Vegetative Replacement and Screening
   a. In determining the appropriate plan, the Waukesha County DPW or its agent will contact the landowner to schedule an onsite visit to discuss the mitigation. If an onsite meeting cannot be arranged, the Waukesha County DPW or its agent will solicit the landowner’s intent through certified mail. If the landowner does not respond within thirty (30) days, the process will terminate.

   b. Either during or following the meeting with the landowner, the Waukesha County DPW or its agent will formalize the offer of proposed plantings in writing and request review and acceptance of the offer. The landowner will have fourteen (14) calendar days to accept or reject the proposed plantings in writing.

   c. If an agreement between the landowner and the Waukesha County DPW or its agent cannot be reached reasonably within an agreed upon cost (to be covered by the Waukesha County DPW), the County Highway Commissioner will inform FHWA, SHPO and WisDOT, who will then consult on how to proceed.

   d. Upon acceptance of the plantings plan and prior to the road’s reconstruction, Waukesha County DPW or its agent will proceed with removal of the existing trees/bushes/vegetative screening. Replacement trees/bushes/shrubs will be planted during the next optimum planting period. Due to the limited amount of the space between the house and the roadway (including the new sidewalk), it is most likely that the new planting will not occur until after the road’s reconstruction is complete.

4. National Register Nomination Completion
   a. Waukesha County DPW’s selected Qualified Consultant will submit a draft Nomination of National Park Service (NPS) Form 10-900 to SHPO for review and comment within twelve (12) months of project completion. Project completion in this case refers to
December 31, 2021. The Nomination will follow current NPS and SHPO guidelines and requirements. WisDOT CRT and SHPO will be provided an opportunity to review and comment.

b. The Qualified Consultant will submit the final nomination along with supplemental materials within thirty (30) days of receipt of WisDOT CRT and SHPO comments. The supplemental materials will be processes and labeled in accordance with NPS and SHPO standards. A copy of the transmittal memo to SHPO will be provided to WisDOT CRT for their records. Submittal materials include:

i. Completed NPS Form 10-900, hard copy and electronic copy
ii. U.S.G.S. map
iii. Labeled photographs and archival disks containing images files
iv. Review Board PowerPoint presentation on CD
v. Summary paragraph
vi. National Register checklist

c. The Qualified Consultant will present the Nomination to the State Review Board at a regularly scheduled meeting. After completing the presentation, the Consultant will provide WisDOT CRT with documentation regarding the completion of the presentation.

d. The Qualified Consultant will be required to make any changes to the Nomination requested by SHPO, the State Review Board, or NPS
USFWS Coordination
From: Horton, Andrew
To: Rehberg, Kelly/MKE
Subject: Re: [EXTERNAL] RE: Request to Update Informal Section 7 Consultation for 2766-00-01 North Avenue
Date: Wednesday, March 06, 2019 2:59:50 PM

Kelly,

I have reviewed the information provided regarding the North Avenue construction project (2766-00-01) located in Waukesha County, Wisconsin. A portion of the action area is located within a High Potential Zone for the rusty patched bumble bee (Bombus affinis; RPBB).

Based on a examination of the impacts, we concur that the proposed project may affect, but is not likely to adversely affect the rusty patched bumble bee. Any impacts associated with this project are anticipated to be insignificant or discountable. Much of the action area consists of disturbed soil or areas of low floral diversity. This would make it highly unlikely that the RPBB would be present in the proposed action area.

This concludes consultation under the Endangered Species Act. Please contact our office if this project changes or new information reveals effects of the action to proposed or listed species or critical habitat to an extent not covered in your original request. If you have questions, please contact me at (952) 252-0092 ext. 208 or via email at andrew.horton@fws.gov.

- Andrew

Andrew Horton
U.S. Fish and Wildlife Service
Minnesota-Wisconsin Field Office
4101 American Blvd East
Bloomington, MN 55425-1665
(952) 252-0092, ext. 208
Subject: Request to Update Informal Section 7 Consultation
2766-00-01
North Avenue (Calhoun Road to 124th Street)
Waukesha County, WI
Consultation Code: 03E17000-2016-SLI-0701

Jacobs Engineering is submitting the attached information and determination, on behalf of Waukesha County, to fulfill Section 7(a)(2) responsibilities under the Endangered Species Act. On September 13, 2016, Waukesha County completed Section 7 consultation with the USFWS on the 3 species that were listed as may be present in Waukesha County at that time.

Since completion of the prior consultation, USFWS identified a high potential zone for the Rusty Patched Bumble Bee in part of the project area. This email is to provide an updated determination regarding the rusty patched bumble bee (see attachment). Based on analysis of habitat in the project area, potential stressors to the species, and potential impacts, Waukesha County has determined that the project “may affect, not likely to adversely affect” the rusty patched bumble bee. Determinations for all previously coordinated species remains the same.

Waukesha County is requesting review and concurrence from the USFWS regarding this determination.

Thank you,

Kelly Rehberg
Jacobs
Environmental Planner
919.636.2403
Kelly.Rehberg@jacobs.com

www.jacobs.com
In Reply Refer To: Consultation Code: 03E17000-2016-SLI-0701
Event Code: 03E17000-2019-E-00858
Project Name: North Avenue Reconstruction

January 29, 2019

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

To Whom It May Concern:

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

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

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

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - http://www.fws.gov/midwest/endangered/section7/s7process/index.html. This website contains step-by-step instructions which will help you determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.
For all wind energy projects and projects that include installing towers that use guy wires or are over 200 feet in height (e.g., communication towers), please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

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

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

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

Attachment(s):

- Official Species List
Official Species List

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

This species list is provided by:

**Green Bay Ecological Services Field Office**
2661 Scott Tower Drive
New Franken, WI 54229-9565
(920) 866-1717
Project Summary

Consultation Code: 03E17000-2016-SLI-0701

Event Code: 03E17000-2019-E-00858

Project Name: North Avenue Reconstruction

Project Type: TRANSPORTATION

Project Description: The purpose of the project is to accommodate growing traffic while improving the safety and operational efficiency of North Avenue. The project is located in the City of Brookfield and the Village of Elm Grove between Calhoun Road on the west and 124th Street on the east (Milwaukee County Line). The approximate 3-mile corridor is a principal arterial on the NHS. The project is in a highly urbanized corridor of mostly of residential homes with several commercial businesses. The existing corridor is a combination of a 2- and 4-lane roadway. The proposed project will expand North Avenue to 4 lanes through the entire corridor. Construction is anticipated to begin in 2020 for the eastern portion of the project (Pilgrim Road to 124th Street) and 2021 for the western segment (Calhoun Road to Pilgrim Road). Construction and impacts will remain primarily adjacent to the existing roadway.

Project Location: The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/43.060704182510655N88.1013030677605W

Counties: Milwaukee, WI | Waukesha, WI
Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### Mammals

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Long-eared Bat <em>Myotis septentrionalis</em></td>
<td>Threatened</td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
<td></td>
</tr>
<tr>
<td>Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a></td>
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### Insects

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
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</thead>
<tbody>
<tr>
<td>Poweshiek Skipperling <em>Oarisma poweshiek</em></td>
<td>Endangered</td>
</tr>
<tr>
<td>There is final critical habitat for this species. Your location is outside the critical habitat.</td>
<td></td>
</tr>
<tr>
<td>Species profile: <a href="https://ecos.fws.gov/ecp/species/9161">https://ecos.fws.gov/ecp/species/9161</a></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rusty Patched Bumble Bee <em>Bombus affinis</em></td>
<td>Endangered</td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
<td></td>
</tr>
<tr>
<td>Species profile: <a href="https://ecos.fws.gov/ecp/species/9383">https://ecos.fws.gov/ecp/species/9383</a></td>
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### Flowering Plants

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<tr>
<th>NAME</th>
<th>STATUS</th>
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</thead>
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<tr>
<td>Eastern Prairie Fringed Orchid <em>Platanthera leucophaea</em></td>
<td>Threatened</td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
<td></td>
</tr>
<tr>
<td>Species profile: <a href="https://ecos.fws.gov/ecp/species/601">https://ecos.fws.gov/ecp/species/601</a></td>
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</tr>
</tbody>
</table>
Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.
To: U.S. Fish and Wildlife Service

From: Waukesha County (Department of Public Works)

Subject: Determination of effects for the Rusty Patched Bumble Bee

Date: February 6, 2019

Waukesha County with the Wisconsin Department of Transportation is conducting an environmental study assessing reconstruction of North Avenue (County M). The purpose of the project is to accommodate growing traffic while improving the safety and operational efficiency of North Avenue. The project is located in the City of Brookfield and the Village of Elm Grove between Calhoun Road on the west and 124th Street on the east (Milwaukee County Line) (Appendix A). The 3-mile corridor is a principal arterial on the National Highway System. The project is in a highly urbanized corridor of mostly residential homes and some businesses. The existing corridor is a combination of a 2- and 4-lane roadway. The proposed project will expand North Avenue to 4 lanes through the entire corridor.

On September 13, 2016, Waukesha County completed Section 7 consultation with the USFWS on the 3 species that were listed as may be present in Waukesha County at that time: the Eastern Prairie Fringed orchid, the Poweshiek skipperling (final critical habitat designation), and the Northern long-eared Bat (Appendix B). As part of the coordination, Waukesha County determined that due to lack of presence of the listed species and lack of suitable habitat, the project will have “no effect” on the Eastern Prairie Fringed orchid, the Poweshiek skipperling and “may affect, not likely to adversely affect” the Northern Long Eared Bat.

Since the completion of the prior consultation, USFWS identified a high potential zone for the Rusty Patched Bumble Bee (RPBB) in part of the project area (Appendix C). The surrounding project area contains residential areas, woodlands, parks, and gardens. A total of 6.5 acres will be converted to right-of-way. However, the primary areas disturbed by the project are habitat not suitable for the RPBB: roadways, other paved areas, and grassy shoulders that are mowed too frequently to allow development of diverse wildflowers.

Several small areas along the roadway within the high potential zone that may contain wildflowers will be cleared. Based on a vegetation survey conducted by the Southeast Wisconsin Regional Planning Commission as part of the wetland delineation report, these areas are part of a larger wetland complex that contain fresh (wet) meadow and constructed roadside ditches with fresh (wet) meadow. Plant communities in these areas are disturbed by mowing and sedimentation from runoff and have limited wildflower diversity, including 50 percent non-native species. The larger project area beyond the construction footprint will continue to maintain residential gardens and areas of diverse wildlife. Waukesha County has also worked to minimize the amount of land clearing necessary for the project to the extent possible.

Therefore, the species may be exposed to land clearing stressors but due to the limited habitat that will be impacted by the project and the continued presence of suitable habitat adjacent to the project and within the larger surrounding area, Waukesha County has determined that the project “may affect, not likely to adversely affect” the rusty patched bumble bee.
Section 4(f) Coordination
Wisconsin Federal Highway Administration
Finding of De Minimis Impact on Historic Property

WISDOT ID: 2759-03-00/70 and 2766-00-01
Route: North Avenue (County M)
Termini: Calhoun Road to 124th Street
City/County: City of Brookfield/Waukesha County

1. Project Description: Existing North Avenue is a combination of a two- and four-lane roadway, with turn lanes at selected intersections. The alternative that remains under consideration would reconstruct North Avenue as a four-lane divided roadway from Calhoun Road to 124th Street, a distance of approximately 3 miles. Crossroads would be reconstructed to tie in with the reconstructed North Avenue and existing traffic signals would be enhanced. North Avenue would consist of 11-foot inside lanes and 14-foot outside lanes to provide additional space for bicyclists. North Avenue would have a sidewalk or multi-use path on both sides of the roadway.

2. Name of Historic Property: Elm-Brook State Bank

3. Briefly describe the historic property and list the attributes of the property which qualify it for inclusion in the National Register of Historic Places (from the Determination of Eligibility for the property):
Include a map and/or photos of the property in relation to the proposed project.
   The Elm-Brook State Bank was determined eligible for the National Register of Historic Places under Criterion B: Significant Persons, for its association with Rolland Ruby. Ruby was among the early residents who embraced the community’s transformation from rural to urban. Rolland’s interest in Brookfield’s development began in the early 1950s--prior to the 1954 incorporation of the City of Brookfield--at which time he made the transition from farming to real estate. Following the creation of Rubywood, a residential subdivision located on part of the Ruby farmland, Ruby would go on to establish two area banking facilities, including the Elm-Brook State Bank which was part of the greater Ruby Isle Shopping Center development, the first shopping center in the area. Designed by the architectural firm of Reddemann-Domann, the Contemporary-style, banking facility, which was completed in 1962, continued to serve the community as the Elm-Brook State Bank through 1981. The bank, along with its drive-through facilities (which were added in 1977 and 1979) stands as the structure most closely associated with Rolland Ruby and the period in which he was active in the development of the community. The property includes the bank building, as well as non-contributing, modern signage.

4. Description of Impacts:
   The preferred alternative would close the gap in the median on North Avenue so left turns would no longer be allowed out of the north driveway. Left turns out of the east driveway are already restricted by the center median on N. Calhoun Road. The widening of North Avenue would shift the sidewalk south, closer to the bank and onto the bank
parcel. The square corner of the parcel at North Avenue and N. Calhoun Road would be rounded, resulting in the loss of part of the grassy area in the northeast corner of the parcel, which currently has flowers planted within a stone border. The loss of entry from the closing of the North Avenue median and the square corner being rounded would not diminish the integrity of association of the property; it would still be able to convey its historic significance. Noise levels at the bank would remain the same as the existing conditions. The current viewshed would not be altered by the widening on North Avenue or the other features of the undertaking. The viewshed would continue to be multilane roadways on two sides and surface parking on two sides.

5. Discuss how the above resulted in a Section 106 finding of No Historic Properties Affected or No Adverse Effect. In making this determination, consideration may be given to any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project.

Following review of the proposed road work in relationship to the bank, it has been determined that the Preferred Alternative will not diminish the integrity of location, design, materials, workmanship, feeling or association of the bank building. The proposed project, however, will change the bank’s setting. The construction of the additional lane along W. North Avenue will occur within the road’s existing ROW. Although the terrace and sidewalk shift (neither element of which was extant during the bank’s Period of Significance) will occur within the historic boundary of the bank property, it will not affect the characteristics that qualify significance or eligibility of the bank building under Criterion B: Significant Persons. Therefore, it has been determined that there is No Adverse Effect to the bank, thus ends discussion regarding the bank property.

6. Name of the official(s) with jurisdiction over the property.

The bank is under the private ownership of Banc One Corporation, Industry Consulting Group Inc. The official with jurisdiction is the State Historic Preservation Officer (SHPO). WisDOT submitted Determination of Eligibility for the Elm-Brook State Bank to SHPO in September 2016. SHPO concurred that the Elm-Brook State Bank is eligible for the National Register in October 2016. WisDOT submitted an assessment of effects indicating a finding of no adverse effect on the Elm-Brook State Bank to SHPO in May 2017. SHPO concurred with the assessment of effects in June 2017.

7. Public Opportunity to Comment

Proposed impacts to Section 4(f) properties were presented to the public at a public involvement meeting on November 15, 2016. The public had an opportunity to review and comment the effects of the project on the property at that time. Comments from that public involvement meeting are included in the attached written correspondence. There were no comments directly related to the property or de minimis impact determination.
This de minimis determination documentation was prepared by

Signature _Kelly Rehberg_ Date _4/25/2019_
Print Name & Title _Kelly Rehberg, Consultant_
(Consultant or Region Project Staff)

This de minimis determination documentation was reviewed by

Signature _Tim Meier_ Date _4/25/19_
Print Name & Title _Tim Meier_
(Regional Environmental Coordinator or Region Local Program Manager)

Signature _Joel L. Brown_ Date _4/25/2019_
Print Name & Title _Joel L. Brown_
(BPDS Liaison or Section Manager)

This de minimis determination documentation was reviewed and approved by

Signature _Bethany Bacher-Crossock_ Date _4/30/2019_
Print Name & Title _Bethany Bacher-Crossock_
(Federal Highway Administration) Env Protection Specialist

cc: WISDOT Bureau of Technical Service/EPDS
    WISDOT Region
Wisconsin Federal Highway Administration
Finding of De Minimis Impact on Parks, Recreation Areas and Wildlife and Waterfowl Refuges

WISDOT ID: 2759-03-00/70 and 2766-00-01
Route: North Avenue (County M)
City/County: City of Brookfield/Waukesha County
Termini and Project Length: Calhoun Road to 124th Street; 3 Miles

1. Project description: Existing North Avenue is a combination of a two- and four-lane roadway, with turn lanes at selected intersections. The alternative that remains under consideration would reconstruct North Avenue as a four-lane divided roadway from Calhoun Road to 124th Street. Crossroads would be reconstructed to tie in with the reconstructed North Avenue and existing traffic signals would be enhanced. North Avenue would consist of 11-foot inside lanes and 14-foot outside lanes to provide additional space for bicyclists. North Avenue would have a sidewalk or multi-use path on both sides of the roadway.

2. Name of Section 4(f) resource: (If the resource is a park and a historic property please indicate the historic property name and the park name if different.)
   Franklin Wirth Park

3. Description of Section 4(f) resource:
   The property is a publicly owned and operated park within the City of Brookfield. The approximate 135-acre park includes a variety of park facilities (i.e. sports fields, picnic areas, shelters) as well as natural resources areas such as wetlands and woodlands. The park facilities are utilized by the community daily with over 100,000 visitations annually.

4. Description of impacts:
   The North Avenue Reconstruction Project would result in changes to Franklin Wirth Park, including: the permanent acquisition of 0.9 acres of park property on the southern and southeastern edges of the park, construction of a stormwater basin in the southeast corner of the park (east of Pilgrim Road) requiring permanent acquisition of 0.5 acres, as well as the realignment of the Civic Center Trail. The distance the trail alignment would need to be moved varies in this segment but generally the trail would shift approximately 0 to 20 feet to the south. The property the realigned trail would be located on would be converted to transportation right-of-way, but this acquisition would not change the connectivity and continuity of the trail. The trail would still functionally serve the park as it does under existing conditions.
   Temporary construction activities would take place on the property, some of which would be outside of the areas of permanent right-of-way acquisition and require temporary limited easements covering approximately 0.84 acres.

5. Discuss how the above does not adversely affect the activities, features, and attributes listed in Number 3 above:
The features, attributes, and functionality of the park would remain as is. The proposed temporary and permanent acquisitions occur largely outside of the portion of the property containing the activities, features, and attributes that qualify the property for protection under Section 4(f) with the exception of the Civic Center Trail. The trail would be shifted 0 to 20 feet to the south onto transportation right-of-way, but the connectivity and continuity of the trail would be unaffected. The trail would still functionally serve the park as it does under existing conditions.

6. Name of and notification to the official(s) with jurisdiction over the property:

   The owner with jurisdiction over this Section 4(f) property is the City of Brookfield. The project team met with representatives from the City of Brookfield Parks, Recreation and Forestry Department on November 28, 2016 to discuss the project team’s preliminary determination of de minimis impacts on Franklin Wirth Park.

7. Describe the public involvement process and results:

   Proposed impacts to Section 4(f) properties were presented to the public at a public involvement meeting on November 15, 2016. The public had an opportunity to review and comment the effects of the project on the property at that time. Comments from that public involvement meeting are included in the attached written correspondence. There were no comments directly related to the property or de minimis impact determination.

8. Describe the results of coordination with the official(s) with jurisdiction over the property following public involvement (attach correspondence from the official(s)):

   A letter was sent to the City of Brookfield Parks, Recreation and Forestry Department requesting concurrence with the preliminary determination of de minimis impact. The preliminary determination of de minimis was presented to the City of Brookfield Park Board. The Park Board and the Parks, Recreation and Forestry Department concurred with the determination of de minimis. The City of Brookfield provided written concurrence with the preliminary determination of de minimis impacts on January 24, 2017.

9. Are there federal and/or state special funding encumbrances such as Land and Water Conservation funds or Knowles-Nelson Stewardship Program grants on the Section 4(f) resource? If “Yes”, indicate the type of encumbrance and discuss how all requirements relating to the encumbrance will be satisfied independent of this 4(f) determination. This should be addressed in Factor Sheet # in the Environmental Document.

   No
This de minimis determination documentation was prepared by

Signature: Kelly Rehberg, Date: 4/25/2019
Print Name & Title: Kelly Rehberg, Consultant
(Consultant or Region Project Staff)

This de minimis determination documentation was reviewed by

Signature: [Signature], Date: 4/25/19
Print Name & Title: Tim McElmee, (Regional Environmental Coordinator or Region Local Program Manager)

Signature: [Signature], Date: 4/25/2019
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This de minimis determination documentation was reviewed and approved by

Signature: [Signature], Date: 4/30/2019
Print Name & Title: Bethaney Becker-Grosh, (Federal Highway Administration)
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cc: WISDOT Bureau of Technical Service/EPDS
WISDOT Region