

Environmental Report (ER) and Environmental Assessment (EA) Template

05-26-2021

Wisconsin Department of Transportation

Project Summary

Project ID 1130-63-00	Project Termini WIS 96 interchange (south end)		Funding Sources (check all that apply) <input checked="" type="checkbox"/> Federal <input checked="" type="checkbox"/> State <input checked="" type="checkbox"/> Local	
Construction ID Not yet assigned	County F interchange (north end) (approx. 23 miles) (Figure 1)		Estimated Total Project Cost (design, construction, real estate, etc.). Include delivery cost in Year of Expenditure (YOE). \$1.25 billion in 2024 dollars	
Route Designation (if applicable) Interstate 41 (I-41)	Nearest Municipality Town of Grand Chute; City of Appleton; Village of Little Chute; Town of Vandenbroek; City of Kaukauna; Town of Kaukauna; Town of Wrightstown; Village of Wrightstown; Town of Lawrence; City of De Pere		Real Estate Acquisition Portion of Estimated Cost (YOE) \$15 million in 2024 dollars	
National Highway System (NHS) Route <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
County Outagamie; Brown	Section/Township/Range S13-16, 20, 27, 29/T21N/R17E; S12-18/T21N/R18E; S5, 7-8/T21N/R19E; S1, 11-12, 14-15, 22, 27-28, 33/T22N/R19E; S36/T23N/R19E; S31/T23N/R20E		Utility Relocation Portion of Estimated Cost (YOE) \$20 million in 2024 dollars	
Project Title I-41 Project and Tier 2 documentation for a portion of the South Bridge Connector from County F/County EB to Lawrence Drive			Right of Way Acquisition	Acres
Bridge Number(s) (if applicable) B-44-157, B-44-158, B-44-161, B-44-162, B-44-190, B-44-177, B-44-178, B-44-024, B-44-140, B-44-020, B-44-021, B-44-028, B-44-029, B-44-035, B-44-036, B-44-171, B-44-172, B-44-129, B-44-130, B-44-128, B-44-127, B-44-132, B-44-033, B-44-034, B-44-179, B-44-038, B-44-039, B-44-040, B-44-041, B-44-042, B-44-043, B-44-044, B-44-071, B-44-072, B-44-073, B-44-074, B-44-159, B-44-160, B-05-305, B-05-306, B-05-053, B-05-080, B-05-162, B-05-165, B-05-200, B-05-600, B-05-601			Fee	93*
			TLE	TBD
			PLE	TBD
For an ER, indicate the date of the first tribal notification letter. For an EA, indicate the date the Process Initiation Letter (PIL) was accepted by FHWA. 1/15/2020			*Note: May include TLE and PLE, to be determined during preliminary design.	
Functional Classification of Existing Route (FDM 4-1-10 & 4-1-15)	Urban	Rural	WisDOT Project Classification (FDM 3-5)	
Freeway/Expressway	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Perpetuation – Preservation/Restoration	<input type="checkbox"/>
Principal Arterial	<input type="checkbox"/>	<input type="checkbox"/>	Perpetuation – Resurfacing	<input type="checkbox"/>
Minor Arterial	<input type="checkbox"/>	<input type="checkbox"/>	Perpetuation – Bridge Rehabilitation	<input type="checkbox"/>
Major Collector	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation - Reconditioning	<input type="checkbox"/>
Minor Collector	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation – Pavement Replacement	<input type="checkbox"/>
Local	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation - Bridge Replacement	<input type="checkbox"/>
No Functional Class	<input type="checkbox"/>	<input type="checkbox"/>	Modernization - Reconstruction	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	Modernization - Expansion	<input checked="" type="checkbox"/>
			Preventative Maintenance	<input type="checkbox"/>
			State Majors	<input type="checkbox"/>
			Other – Describe:	<input type="checkbox"/>

- ☐ FHWA Draft Categorical Exclusion (CE)/WisDOT Draft Environmental Report (ER). **No significant impacts indicated by initial assessment.**
- ☒ FHWA/WisDOT Environmental Assessment (EA). **No significant impacts indicated by initial assessment.**

Ben Goldsworthy, NEPA Manager, Jacobs Engineering; 06/16/21

(Print – Preparer Name, Title, Company/Organization) (Date – m/d/yy)

Chad DeGrave P.E. PDS Chief 6-16-21

(Signature, Title)

☒ Region ☐ Aeronautics ☐ Railroads & Harbors

(Date – m/d/yy)

Scott J. Zawry

6-17-2021

(Signature – Director, Bureau of Technical Services) (Date – m/d/yy)

Alan D. Parker

Wisconsin Division Administrator 6-17-2021

(Signature, Title)

☒ FHWA ☐ FAA ☐ FTA ☐ FRA

(Date – m/d/yy)

A Public Hearing was not required. After reviewing and addressing substantive public comments and coordinating with other agencies, it is determined this action:

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

A Public Hearing was held, and after reviewing and addressing substantive public comments, updating the Draft CE/ER or EA and coordinating with other agencies, it is determined this action:^a

- ☐ **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 (FONSI).
- ☐ **Has potential to significantly affect** the quality of the human environment. Draft Environmental Impact Statement (EIS) required.

Ben Goldsworthy, NEPA Manager, Jacobs Engineering; 11/16/21

(Print – Preparer Name, Title, Company/Organization) (Date – m/d/yy)

Chad DeGrave P.E. 11-16-21

(Signature, Title)

☒ Region ☐ Aeronautics ☐ Railroads & Harbors

(Date – m/d/yy)

Scott J. Zawry

11-16-2021

(Signature – Director, Bureau of Technical Services) (Date – m/d/yy)

Alan D. Parker

Wisconsin Division Administrator 11-18-21

(Signature, Title)

☒ FHWA ☐ FAA ☐ FTA ☐ FRA

(Date – m/d/yy)

^a Include Environmental Document Availability and Hearing Summary following this page.

Environmental Document Availability and Hearing Summary

06-11-2019 Wisconsin Department of Transportation

Project ID: 1130-63-00

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

1. Type(s) and Date(s) of Public Notice(s):

Legal Notices on June 27, 2021, and July 18, 2021; Display advertisements on July 21, 2021, in local weekly newspapers; Display advertisement on July 11, 2021, and July 25, 2021, in daily local newspapers.

2. Published in (name of newspaper):

Legal Notices: *Green Bay Press-Gazette* and *Appleton Post-Crescent*; Display advertisements: *Green Bay Press-Gazette* and *Appleton Post-Crescent* (daily newspapers) and *Wrightstown Area Spirit* and *Kaukauna Times-Villager* (weekly newspapers).

3. Dates environmental document was available to the public and agencies for review and comment:

From: June 24, 2021

To: August 6, 2021

4. Public Hearing:

☐ A Notice of Opportunity to Request a Public Hearing and Notice of Availability of an Environmental Document was published.

☐ No requests for a public hearing were received.

☐ Hearing request(s) received, then later rescinded in writing, documentation attached as:

☒ Hearing was held on: **July 27, 28, and 29, 2021**

5. Summarize comments from the Public Hearing and environmental document availability period or additional public involvement following the approval of the environmental document. Characterize public support or opposition to the project. Include responses to all substantive comments. (Note: Alternatives proposed by the public and subsequently rejected should be identified and the reasons for rejecting them):

On June 24, 2021, the Environmental Assessment (EA) was made available to the public on the I-41 Project website. Paper copies were also available at WisDOT's Northeast Region office in Green Bay (by appointment only), the Appleton, Little Chute, Kaukauna, Wrightstown, and De Pere (Kress Family) public libraries, and at the in-person public hearings on Wednesday, July 28 and Thursday, July 29, 2021.

On June 28, 2021, 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. On July 1, 2021, a Project newsletter announcing the public hearing was sent to the Project mailing list. The Project mailing list includes over 4,000 Project-area residents, businesses, local officials, agencies, community-based social service organizations, and other interested stakeholders. The following legal notices and paid advertisements were published in local newspapers:

Legal Notice:

Publication	Published 30 days prior	Published within 14 days
Appleton Post-Crescent	6/27/21	7/18/21
Green Bay Press-Gazette	6/27/21	7/18/21

Paid Advertisements:

Publication	Date
Appleton Post-Crescent	7/11/21 and 7/25/21
Green Bay Press-Gazette	7/11/21 and 7/25/21
Wrightstown Area Spirit	7/21/21
Kaukauna Times-Villager	7/21/21

Comments from 41 individuals were received during the EA availability period. Some individuals commented on more than one aspect of the Project.

- Four commenters opposed the Project due to:
 - Concerns that highway expansion will increase traffic rather than relieve congestion.
 - Opinion that WisDOT should invest more in public transportation.
 - Concerns about the Project's environmental impact, including property acquisition.
- Nine commenters supported the Project.
- The remaining 28 commenters did not specifically state support or opposition for the Project.

Nine commenters had concerns related to noise, six commenters had site-specific property impact concerns, and five commenters had concerns related to public transportation. The following is a list of these and other individual comments and responses:

- **Comment: Petition from 60 homeowners of the Condominiums at Warner Creek (north of I-41 between Capitol Drive and Lynndale Drive). Twenty-two condominiums are within 500 feet of the I-41 right-of-way and some border Rifle Range Road. Homeowners believe the I-41 expansion will exacerbate noise pollution and add to safety concerns over the proximity to Rifle Range Road. WisDOT should consider a short concrete wall that will minimize some of the highway noise and add a safety buffer between I-41 and Rifle Range Road.**

Response: WisDOT conducted a noise barrier analysis and determined that a noise barrier is technically feasible but is not cost-effective along Rifle Range Road, north of I-41. There are 15 residents along Rifle Range Road, and the cost of the wall per benefitted receptor (home) is higher than WisDOT's noise abatement procedures allow. A safety barrier is proposed on the north side of I-41 along the shoulder; the barrier will be 42 or 56 inches high, to be determined in the design phase.

- **Comment: I support the I-41 Project and associated improvements. It will improve safety, link Green Bay to Fond du Lac, and support current and future economic development.**

Response: This was one of nine comments that support the Project for reasons as stated in the EA.

- **Comment: Roundabouts and diverging diamonds are not conducive to drivers who do not follow the law. There are already too many drivers who do not stop at stop signs and accelerate at yield signs and yellow lights. In the near future, traffic lights may be needed at the diverging diamonds.**

Response: The University of Wisconsin's Traffic Operations and Safety Laboratory analyzed before-and-after

safety data for 24 roundabouts built in Wisconsin. The roundabouts studied had a 9 percent decrease in total crash frequency and a 52 percent decrease in injury crashes. Installing roundabouts changed the crash types that occurred at the intersections from more severe crashes like angle and head-on to less severe crashes such as sideswipe and single vehicle crashes. Diverging diamond interchanges have also been shown to improve safety while increasing traffic throughput. According to the Federal Highway Administration (FHWA), compared to a conventional diamond interchange, diverging diamond interchanges reduce vehicle-to-vehicle conflict points by nearly 50 percent and eliminate many of the most severe crash types. WisDOT evaluated various interchange alternatives and determined that roundabouts and diverging diamonds best met the purpose and need for the Project at certain locations. When the diverging diamond interchanges are built, traffic signals will be installed.

- **Comment: The project would have a significant adverse impact on Great Northern Laminations' property. A safety barrier of approximately 6 feet should be included in the design to protect landowners and act as a noise reduction barrier. The project design should use a storm sewer/under drain to manage stormwater runoff rather than a drainage ditch. The traditional drainage ditch approach would significantly increase the right-of-way area to be consumed by the project and adversely affect the property.**

Response: A safety barrier is proposed along northbound I-41 and the ramp from northbound I-41 to southbound WIS 441, adjacent to the Great Northern Laminations property. The safety barrier will be 42 or 56 inches high. During final design, WisDOT will determine whether a storm sewer or drainage ditch will be used.

- **Comment: Anyone who drives on I-41 knows this is a necessary project to construct six lanes. However, it is not necessary to waste taxpayer dollars by developing a new interchange at Southbridge when it is so close to County S and County F.**

Response: The new I-41 interchange at Southbridge Road is part of a larger transportation improvement for the Green Bay metropolitan area. On October 16, 2020, FHWA and WisDOT approved the South Bridge Connector Tier 1 Combined Final Environmental Impact Statement and Record of Decision (Final EIS/ROD), which can be found on Brown County's website (<https://www.browncountywi.gov/departments/planning-and-land-services/planning/south-bridge-connector/>). The Tier 1 EIS documents the reasons the South Bridge Connector project, between the intersection of County F and County EB on the west and the intersection of County X and County GV on the east, is needed. The new South Bridge Connector would improve east-west travel in the southern portion of the Green Bay metropolitan area by providing a four-lane divided roadway and new Fox River crossing. Constructing the South Bridge Connector interchange as part of the I-41 Project is more cost-effective than constructing the interchange separately after I-41 is reconstructed.

- **Comment: A homeowner who lives south of I-41 between Gillett Street and WIS 47 suggests that the noise wall be placed beyond the roadway shoulder and ditch (versus adjacent to I-41) and follow property contours to block the noise at yard level.**

Response: The noise wall on the south side of I-41 between Gillett Street and WIS 47 is proposed adjacent to the roadway shoulder to best reduce traffic noise. At this location, the noise barrier is considered reasonable and feasible for the impacted noise receptors. WisDOT assessed a noise wall located farther from I-41 and closer to the right-of-way line, but it was not as effective in reducing noise.

- **Comment: Please do not consider roundabouts at intersections because they may be hard to maneuver for semi-trucks and buses. Suggest placing speed limit signs at the end of on-ramps and exit-only signs 1/8-mile before exit ramps.**

Response: Roundabouts were deemed most appropriate at certain interchanges because they handle future traffic volumes and improve safety. Roundabouts have worked well throughout the Appleton and Green Bay metropolitan areas and are designed to accommodate trucks and buses. They have a mountable curb that

trucks can drive on, if needed, and the median is designed to allow trucks to drive on the curb without risk of hitting anything. Signs for exit ramps are typically 0.25-mile, 0.5-mile, 1 mile, 2 miles, and sometimes 5 miles in advance of an exit. Signs are not typically placed 1/8-mile in advance of an exit because that does not allow enough time for a driver to react. Speed limits signs are placed 1500 feet beyond the acceleration lane of each entrance ramp.

- **Comment: How is snow going to be removed when there is a concrete barrier on the side of the road and in the middle?**

Response: WisDOT contracts with counties to remove snow from I-41 and other freeways. There are several locations on I-41 in the Fox Valley where there is a concrete barrier on the inside and outside of the lanes. At these locations there will be 12-foot shoulders on both the outside and inside of I-41, providing room for snow removal operations. Counties are successful in removing snow where barriers are currently present and will use the same operations at any new areas with barriers on both the inside and outside.

- **Comment: The property owner at N1635 Rose Hill Road (County CC) requested that WisDOT fully acquire the property due to concerns over I-41 and Rose Hill Road being so close to the house.**

Response: This property was not listed as a relocation in the EA. However, due to the homeowner's request for relocation, the need to provide new access to the property and a retaining wall due to the refined design of the Rose Hill Road overpass over I-41, and the costs associated with providing that new access and building and maintaining the retaining wall, WisDOT will fully acquire this property. Thus, an additional residential relocation is noted in this FONSI for a total of 3 residential relocations on this project.

- **Comment: Research has found a one-to-one relationship between new highway lane capacity and traffic increases. Inordinate amounts of state funds are dedicated to new construction rather than maintaining current roads. Our state population is not growing at the same rate as our road construction budget.**

Response: If there are no improvements to I-41, increased traffic volumes would cause several areas of I-41 to operate at unacceptable levels of service by 2045. In addition to addressing existing safety and operation deficiencies along I-41, an existing road, the project will replace the I-41 pavement, much of which was constructed in the 1960's and has reached the end of its useful life. The project will also reconstruct bridges that have deteriorated over the years due to age, heavy traffic, road salt, and freeze thaw cycles.

- **Comment: Three people expressed a desire for a 12' snowmobile trail under the I-41 bridge at Little Rapids Road and/or along Wrightstown Road for snowmobiling.**

Response: The I-41 design will maintain the existing snowmobile trail underneath I-41 at Little Rapids Road and Wrightstown Road.

- **Comment: WisDOT should consider less noisy road surface on the Wrightstown Road overpass. It is very noisy in its present state. The noise amplifies when cars go over the overpass going southbound on I-41.**

Response: The Project will raise and widen the I-41 bridge over Wrightstown Road and replace its concrete deck. Both the roadway approaching the bridge and the bridge will be concrete (the bridge is currently asphalt), which will address the varying noise levels between the different surfaces. During final design, WisDOT will evaluate road surface treatments to make the bridge over Wrightstown Road less noisy.

- **Comment: WisDOT is going to be buying six acres of our property for a pond, and we own a parcel of 10 acres. What would happen with the remaining four acres?**

Response: WisDOT anticipates beginning the acquisition process for most of the Project in 2023. Any part of property not acquired will remain the property owners. Use of the remaining property is of the owners' discretion. If the remaining parcel is too small to function in its current use there is a provision in state law for 'uneconomic remnants' (Wisconsin Statute § 32.06(3m)), and WisDOT will evaluate whether the remaining parcel should be acquired under this provision.

- **Comment: Several large buildings and parking lots have been built close to I-41 with only one small retention pond. With the expansion of I-41, neighbors are concerned about where the water in this area will be directed.**

Response: Stormwater management will follow WisDOT and Department of Natural Resources (DNR) requirements. The I-41 reconstruction will add additional impervious surfaces that produce stormwater runoff. Even though the median ditch would be eliminated by adding the third lane in the median, there will be a ditch or storm sewer on both sides of the freeway to control stormwater runoff. WisDOT will evaluate stormwater management techniques during final design and provide additional stormwater retention/detention areas if needed.

- **Comment: At the southeast corner of the County S interchange, a resident is filling in an old borrow pit that was impacted when the interchange was constructed. This might be a useful area for storing material and equipment when the project is built.**

Response: While in some situations WisDOT will determine appropriate construction staging areas, more often, the construction contractor selected to build the Project will identify and acquire staging areas on their own.

- **Comment: The speed is too fast and dangerous considering the entry/exit ramps do not always allow safe entry/exit. Since most drivers do not actually drive the posted speeds, when the speed is 70 mph, people are pushing 80 mph.**

Response: This is one of three comments expressing concern over the speed limit. WisDOT is designing I-41 so a vehicle operating at 75 mph can safely travel the freeway. I-41 will be posted for 70 mph, like it is today. Congress repealed the National Maximum Speed Law in 1995 (which restricted the maximum speed limit on all interstate roads in the U.S. to 55 mph) and states are allowed to set their own speed limits on interstates. In 2015, the Wisconsin State Legislature passed legislation which increased the speed limit to 70 mph on certain segments of freeways across the state, including this portion of I-41. In addition, WisDOT evaluated major design criteria elements for this portion of I-41 to determine the appropriate speed limit and deemed 70 mph appropriate.

- **Comment: I would like to see WisDOT look into a mass transit option between Green Bay and Appleton. Freeway expansion just creates more traffic and the highway will need to be expanded again in 10 years. Provide funding to Green Bay Metro and Valley Transit to have a bus that runs between the two areas.**

Response: This is one of five comments that express the need for public transit. WisDOT has been involved in the following efforts to provide transit connections between the Fox Cities and Green Bay area:

- WisDOT provided technical assistance and coordinated intercity bus service linking Green Bay, Appleton, Oshkosh, Fond du Lac, downtown Milwaukee's Amtrak station and Milwaukee's airport. This service, which started in 2019, is part of Amtrak's Thruway bus program that is structured to make timely connections with Amtrak train service in Milwaukee. It provides 3 round trips a day. More information on this service is available on the Amtrak website: <https://amtrakhiawatha.com/amtrak/bus-service.php>.
- Preliminary conversations between transit officials in the communities near I-41 and state officials requested dedicated services to potentially mitigate anticipated congestion during construction and if viable, continuing service after construction was complete. While transit and multimodal improvements play an important role in the Fox Valley's transportation system, they cannot reduce vehicle use to the extent that additional capacity on I-41 would not be needed. WisDOT will look into enhanced transit service to mitigate anticipated congestion during construction. WisDOT is designing I-41 to accommodate traffic 20 years after construction.
- WisDOT provided technical assistance to a Commuter Service study between the Fox Cities and Green Bay. The East Central Wisconsin Regional Planning Commission was awarded a federally funded 5304

Transit Planning Grant to study commuter service between Oshkosh and the Fox Cities. The study was completed in late 2019, and the final report, expected late 2021, is anticipated to show plans for a multi-stage commuter service line. Stage 1 would connect Oshkosh to the Fox Cities via the Greater Oshkosh (GO) Transit West Transfer Center (near Aurora Hospital) to the Valley Transit West Transfer Center (near the Fox River Mall). Connecting to the existing fixed route transit systems and on-demand transit options is a critical component of the commuter service. Stage 2 would be a connection to the Green Bay area. The project website has additional information:

<https://www.ecwrpc.org/programs/transportation/i-41-commuter-service-study/>.

- WisDOT is developing the Wisconsin Rail Plan 2050 to replace the Wisconsin Rail Plan 2030. The 2030 rail plan examines Thruway bus and passenger rail service connecting Green Bay and the Fox Cities to the existing passenger rail line between Chicago, Milwaukee, and the Twin Cities. Studies have shown the Thruway bus service to be the most feasible connection; WisDOT worked with Amtrak to make the existing Lamers bus service more frequent and with timed connections to Amtrak service. Riders not intending to make train connections also benefited from the improved service. The Wisconsin Rail Plan 2050 is scheduled to be complete in early 2022. The project website has additional information: www.wisconsinrailplan.gov.

- **Comment: Highway expansion rarely addresses safety and congestion in the long-term. There are other solutions that are inclusive, more fiscally responsible, and environmentally sustainable, such as public or mass transit, HOV lanes, and dedicated bus lanes. It's not financially sustainable to keep building new roads. The price tag does not include the costs of maintaining over time.**

Response: Reconstructing I-41, which has not been widened since 1962, is investing in existing infrastructure; it is not a new road. WisDOT evaluated reconstructing the roadway without adding a new lane, as well as travel demand management and transportation system management alternatives. These are discussed in Section 7.2 of the EA Template and Appendix A. None of these alternatives would eliminate the need to add an additional lane. WisDOT's experience with other recent freeway reconstruction projects that modernizing freeways does reduce crash rates. WisDOT considered potential environmental impacts in selecting the six-lane alternative and will mitigate any environmental impacts to the extent possible. In addition, WisDOT has been involved in several efforts to provide transit connections between the Fox Cities and Green Bay area (see comment response above).

- **Comment: 0.05 acres of my backyard will be affected. I also have five mature trees that will be affected. Only fair market compensation will be acceptable, not eminent domain.**

Response: WisDOT anticipates beginning the acquisition process for most of the Project in 2023. If trees are on the property owners' land, the property owner will be compensated accordingly. The acquisition and relocation program will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended; 49 CFR Part 24; Wisconsin Statutes s. 32.19 – 32.27; and Wisconsin Administrative Code Adm 92.

- **Comment: At the corner of Lynndale Avenue and I-41, it is very loud and at times difficult to even hold a conversation in our backyard when traffic is high. We are 100% in favor of a noise barrier. We will be attending the meeting which asks residents to vote, but wanted to state that we have discussed the barrier with our neighbors and they too are in favor of a noise barrier.**

Response: Comment noted. A noise wall at this location was found feasible and reasonable and will be built pending the vote of owners or residents of the benefitted receptors.

- **Comment: Do not take land from Prairie Hill Park. There are a lot of car dealerships on the other side of I-41 that could be taken. There is not much public land for recreation.**

Response: The Project design was revised to no longer permanently require land from Prairie Hill Park, only a temporary easement during construction.

- **Comment: Concerned about closing access to Association Drive from WIS 47. If Association Drive is closed, there will be a bottleneck at Capitol Drive. It is already difficult to safely go left or east on Capitol Drive during the PM peak period.**

Response: WisDOT held a meeting with Association Drive businesses in February 2021 to discuss the potential change in access. WisDOT received very few negative comments both during and after the meeting about the proposed change in access to Association Drive. Forecast traffic volumes do not warrant a traffic signal at Capitol Drive and Association Drive, but will be reevaluated at a later stage of design.

- **Comment: In favor of the roundabout alternative at the WIS 47 interchange. It is the safest option with least disruption to Valley Baptist Church. The signalized intersection and diverging diamond alternatives are less safe and more disruptive to the church property. Also recommends an additional roundabout built at the intersection of Seneca Drive and WIS 47 to provide safe ingress and egress to the church.**

Response: This was one of two comments recommending a roundabout be built at Seneca Drive. Improvements at the intersection of Seneca Drive and WIS 47 are outside the scope of the I-41 Project. At the WIS 47 interchange, WisDOT evaluated three alternatives: diamond interchange with traffic signals, diamond interchange with roundabouts, and diverging diamond interchange. While all three alternatives would have relatively similar costs and traffic operations, WisDOT determined that the diverging diamond interchange best addresses safety at the interchange, has minimal impacts, and has the support of Outagamie County and the City of Appleton.

- **Comment: Between WIS 47 and Meade Street on the north side of I-41, and between Meade Street and County E on the south side of I-41, there is a berm. When the project is constructed, will WisDOT rework the berm or clear up the existing fence, trees and brush?**

Response: Noise walls were found feasible and reasonable along I-41 at these locations and will be built pending the vote of owners or residents of the benefitted receptors. Vegetation clearing and berm work will be determined during final design.

- **Comment: I work out of my home and am doubtful that the DOT is going to pay to relocate my home, business, and the three or four people that I employ elsewhere. I understand the project is needed but it is not clear how much property WisDOT is taking. It will eliminate one of my outbuildings, generator, and entire backyard.**

Response: WisDOT anticipates beginning the acquisition process for most of the Project in 2023. This property will not be displaced and the exact amount of property acquired will be determined during final design. Property owners will be compensated appropriately for any property acquired. The acquisition and relocation program will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended; 49 CFR Part 24; Wisconsin Statutes s. 32.19 – 32.27; and Wisconsin Administrative Code Adm 92.

- **Comment: Four major concerns: 1) Truck traffic has increased exponentially. What provisions are being made besides an extra lane in each direction for trucks that cannot get onto the highway at highway speed and do not drive highway speed in the first place?; 2. What sort of provisions are being made for public transportation for those who cannot or don't drive?; 3) The noise from the highway is extremely loud and is going to get louder with the project. My experience with noise barriers on WIS 441 is that they work when you're within a block or two of the highway, but when you're like me (about four blocks away), the sound actually is funneled and increases. Are there any provisions for that contingency?; 4) I am experienced with the diverging diamond at WIS 441/Oneida Street which I think is better than the multiple roundabouts. However, I hope they allow for better timing than I've noticed lately.**

Response: (1) Auxiliary lanes, collector-distributor roads, and braided ramps are proposed at various locations along I-41 to allow trucks and other vehicles to get up to freeway speed before entering I-41, provide safe merging and reduce weaving conflicts; (2) The Project does not have provisions for public

transportation, but improving I-41 will enhance service for Amtrak's Thruway Bus service from Milwaukee to Green Bay. Overpasses will be reconstructed to accommodate bicyclists and pedestrians; (3) Noise barriers are placed closest to the source of the noise, where they are most effective. Effectiveness of a noise barrier depends on the distance between the impacted receptor and the barrier. With a barrier providing the minimum eight (8) dB reduction, noise levels will be cut in half for receptors directly behind the barrier. This benefit decreases as a listener moves farther away from the barrier and is negligible at distances greater than 500 feet; (4) Signal timing at diverging diamond interchanges will be determined during final design.

- **Comment: The project is needed but I'm concerned about the flow of traffic at the interchanges. I live close to the County OO interchange and that is the one interchange that is not always backed up. Where are the signals located with the diverging diamond? Right now I can get on and off the highway at various times of day without having to be stopped by signals and I'm concerned about what happens to the flow of traffic if there's a diverging diamond. I'm also concerned about the planned speed of the highway after all the construction.**

Response: WisDOT evaluated various alternatives at the WIS 15/County OO interchange. The diverging diamond interchange will improve traffic operations over existing conditions, improve safety, and has the support of Outagamie County. Traffic lights are placed before drivers temporarily move to the left side of the road to go left onto the interstate; drivers going straight through the interchange proceed through a second traffic signal and follow their lane back to the right side of the road. More information and a video on diverging diamond interchanges can be found on WisDOT's website:

<https://wisconsindot.gov/pages/safety/safety-eng/inter-design/ddi.aspx>. The speed limit on I-41 will remain 70 mph.

- **Comment: At the west side of the South Bridge Connector interchange, why can't the roundabout be brought in so that we're not using up so much land? It seems like it's an awful long way out and it's further than the east side. There's a clinic planned at County F and Southbridge Rd. Why can't you build a bigger roundabout and bring those five roads into that rather than the configuration shown?**

Response: The distance from an exit/entrance ramp intersection to the adjacent intersection is an important consideration to maintain safe and efficient mobility as traffic volumes grow. On the east side, French Road is proposed to be connected to the South Bridge Connector with a roundabout at Innovation Drive. The proposed distance from the northbound exit ramp roundabout intersection to this proposed intersection is less than the desirable distance because it is influenced by the location of buildings and Ashwaubenon Creek. On the west side, the roundabout proposed at Mid Valley Drive does not have as many buildings and environmental constraints influencing its design. In this case, the design is balancing wetland impacts and road alignment to provide the best configuration. The size of the curves proposed on Mid Valley Drive are designed to meet driver expectations and design standards. A complex 5-leg roundabout was considered at County F and Packerland Drive but was eliminated from further consideration because of potential driver confusion and associated safety concerns.

- **Comment: Suggest putting WIS 47 on hold and defer that to the next time due to the amount of impact it will have to the overall community and businesses. We just had that bridge and area redone a couple years ago.**

Response: Reconstructing the WIS 47 interchange as part of the I-41 Project is more cost-effective than reconstructing it after the I-41 project is completed. In addition, reconstructing the WIS 47 interchange would address existing traffic operational and safety needs. The previous WIS 47 bridge repair was completed in 2014; it included pavement replacement, bridge re-deck, and raising the bridge clearance to meet minimum (but not preferred) interstate standards. The previous WIS 47 project does not meet the I-41 Project purpose and need for the following reasons: 1) It did not address traffic capacity needs for the I-41 Project design year. Any interchange alternative that would address design year volumes would require either some combination of more lanes than the current bridge supports and/or lanes in a different location; and 2) It did not reconstruct the bridge, which was built in the 1960s and has shoulder piers which limit

options. It did not address roadside hazards present with the existing bridge.

- **Comment: The project would acquire 0.08 acres (or 26.4%) of my property between WIS 47 and County E. This would potentially move the noise barrier within 35 feet of my bedroom. Concern for increased noise pollution and effects on property value, which would not be offset by the compensation for land acquisition, trees that are removed, or other land use.**

Response: The commenter noted that they live between WIS 47 and County E. There is an existing noise barrier on the south side of I-41 between WIS 47 and Meade Street. New noise barriers will be constructed on the south side of I-41 between Meade Street and County E and on the north side of I-41 between WIS 47 and Meade Street (beginning east of Pathways Church), which will reduce noise. WisDOT will compensate all property owners for the potential loss of value from part of the property being acquired. The acquisition and relocation program will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended; 49 CFR Part 24; Wisconsin Statutes s. 32.19 – 32.27; and Wisconsin Administrative Code Adm 92.

- **Comment: Make the entire WIS 441 (Tri-County Freeway) six lanes when you're already redoing a major interchange. Take the County A overpass and make it into a traditional diamond interchange.**

Response: These improvements are outside the scope of the I-41 Project. WisDOT currently has no plans to widen WIS 441 or add an interchange at County A.

Additional Public Involvement Efforts

Following EA approval, WisDOT conducted additional outreach to environmental justice populations and organizations through a survey and attending community events. A survey was provided to 40 environmental justice organizations to distribute to their communities to learn more about how people use I-41 and additional demographic information. There were 43 responses to this survey. Key takeaways included:

- 98 percent of respondents use a car to travel to work
- The top reasons to travel on I-41 were for shopping, going to restaurants, traveling to work, or for health care
- Nearly half the respondents travel on I-41 often while only 28 percent stated they rarely use I-41.

Respondents were also asked if they had any transportation-related concerns or suggestions. Of those who responded to this question, three respondents noted they would like to see improved bicycle and pedestrian infrastructure while an additional three respondents would like to have improved transit options, including along I-41. Three respondents noted that they want to see I-41 improved, including extra lanes and safer merging points.

WisDOT representatives attended two community events hosted by environmental justice organizations. At these events, WisDOT distributed information about the project, gathered input from the community, and provided an opportunity for filling out the afore mentioned survey in-person.

6. Summarize comments from agencies or local units of government from the Public Hearing and document availability period or additional public involvement following the completion of the Draft ER or EA:

WisDOT received letters from the U.S. Environmental Protection Agency (EPA) and Outagamie County. The letters are in Appendix G-1.

EPA noted that WisDOT addressed many of their initial scoping comments in the EA, but their comment on air quality was not fully addressed. EPA recommended WisDOT commit to using air quality best management practices for the proposed construction activities and provided a source for where to find recommended best management practices. The FONSI identifies additional air quality mitigation measures.

Outagamie County thanked WisDOT for the speed and careful consideration in regard to planning and designing the I-41 Project, and appreciates WisDOT's engagement with County staff and municipal partners to date.

Environmental Document Availability and Hearing Summary

Outagamie County noted that the I-41 Project is consistent with and advances certain goals and recommendations in the County's comprehensive plan. Outagamie County expressed thanks to WisDOT for selecting an alternative at the I-41 and WIS 441 system interchange that balances the safety and traveling needs of the public while minimizing impacts to the future Outagamie County Northwest Landfill; this aligns with the recommendation to implement strategic efforts around on-site landfill expansion. Outagamie County requests that WisDOT consult with the County, MPO, and local municipalities as it relates to the recommendation related to bicycle/pedestrian accommodations at all County and local road I-41 bridge crossings and underpasses. WisDOT will continue this coordination as the County requests.

7. Summarize changes to the environmental document and project resulting from comments or feedback from the public, agencies or local units of government:

Input received during the comment period has resulted in revisions to the EA, summarized below.¹ Revisions to the EA are highlighted in this FONSI. The page numbers cited below indicate the page in the EA where the information is found.

- **Page 34, ER and EA Template Section 8, Description of the Preferred Alternative**
Revised the number of residential relocations from two to three and added the location of the additional relocation.
- **Page 42, ER and EA Template Section 15, Summarize the Results of Public Involvement**
Noted the additional residential relocation along Rose Hill Road, west of the WIS 55 interchange.
- **Page 54, ER and EA Template Section 20, Alternatives Comparison**
Revised the number of housing units required under the Preferred Alternative from two to three and the total number of buildings required from four to three to account for the change in the number of residential and business relocations (the Project will no longer displace the two businesses near the WIS 441 interchange).
- **Page 66, ER and EA Template Section 22, Environmental Factors Matrix**
Revised the number of residential relocations from two to three in the *Relocations* row.
- **Page 73, ER and EA Template Section 23, Environmental Commitments**
Added examples of air quality best management practices that contractors could implement in the *Air Quality* row to address EPA's comment.
- **Preferred Alternative Map Series, Page 8**
Added the new residential relocation along Rose Hill Road.
- **Factor Sheet F2, Community Evaluation, Page 3**
Noted the additional residential relocation along Rose Hill Road, west of the WIS 55 interchange.
- **Factor Sheet F5, Relocations Evaluation, Pages 1-2**
 - Item 1D. Revised the number of residential buildings acquired from two to three.
 - Item 2A. Noted the new residential relocation along Rose Hill Road. Revised Figure 5-1 to Figure 5-1a and created a new figure (Figure 5-1b) showing the residential relocation along Rose Hill Road.
 - Item 2A-1. Revised the number of households who own the occupied unit from one to two.

¹ Based on the changes described in this FONSI, minor details in technical reports may have changed. Technical reports were not updated as their overall conclusions remain relevant.

Environmental Document Availability and Hearing Summary

- Item 2A-2. Revised the number of three-bedroom units from zero to one.
- Item 2A-3. Updated the estimated number of single-family units relocated from two to three.
- Item 2D. Revised the month of the conceptual stage relocation plan from March to August. WisDOT revised the conceptual stage relocation plan to account for the new residential relocation along Rose Hill Road. Deleted footnote stating, "Since the completion of the Conceptual Stage Relocation Plan in March 2021, the residential relocation east of I-41 has been avoided." The residential relocation east of I-41 at the South Bridge Connector interchange was removed from the revised conceptual stage relocation plan in August 2021.

- **Factor Sheet F5, Relocations Evaluation, Page 4**

In Item 9, noted that at the July 2021 Public Hearing, the property owner at N1635 Rose Hill Road requested that WisDOT fully acquire the property due to concerns over I-41 and Rose Hill Road being so close to the house. Described why WisDOT will fully acquire this property.

Changes made to the environmental document due to design changes and new information available:

In addition to revisions made in response to agency and public comments described above, the following changes were made since the EA was approved per design changes and new information:

- **Page 1, ER and EA Template, Project Summary**

Revised the total proposed right-of-way (fee) from 95 to 93 acres due to design changes at the County S interchange. Added note that the 93 acres may include TLE and PLE, to be determined during preliminary design.

- **Page 7, ER and EA Template Section 5, Fiscal Constraint**

Updated with the most current TIP (*2022-2025 Transportation Improvement Program for the Green Bay Urbanized Area*).

- **Page 12, ER and EA Template Section 6, Purpose and Need**

Updated the following with more recent (October 2021) data: "Statewide, total vehicle volumes were down 3 percent in October 2021 compared to October 2019." The EA used April 2021 data.

- **Page 19, ER and EA Template Section 6, Purpose and Need**

Revised the height of the communications tower to "300 to 400 feet." Removed footnote stating, "The communications tower is not part of the I-41 study and would be included in a separate environmental document."

- **Page 27, ER and EA Template Section 7, Summary of Alternatives**

In the discussion of the I-41 and WIS 15/County OO interchange, updated the Project's impact to Prairie Hill Park and noted that the Project will have a Section 4(f) de minimis impact to the County Forest and Prairie Hill Park. Revised discussion from the alternatives' impacts to Wisconsin Natural Heritage Inventory listed plant habitat to impact to state-threatened species.

- **Page 30, ER and EA Template Section 7, Summary of Alternatives**

In the discussion of the I-41 and WIS 441 system interchange, deleted sentence noting that both the 55- and 60-mile-per-hour alternatives would relocate two businesses in the northwest quadrant. The 55-mile-per-hour alternative (preferred) will no longer displace these two businesses. The design at the WIS 441 system interchange was refined to not impact the property buildings, and while the Project would make the loading docks at the two businesses unusable, the owners preferred WisDOT pay the cost to cure² rather than a full

² The cost to cure is the cost to restore a property and fix the damages that result from partial acquisition.

buyout for relocation.

- **Page 32, ER and EA Template Section 7, Summary of Alternatives**

In the discussion of the I-41 and County S interchange, revised the wetland impacts from approximately 2 acres to 1 acre, number of waterway crossings from two to one, and farmland impact from 6.5 to 4.2 acres for the diamond with roundabouts interchange alternative (preferred alternative). These reductions in impacts resulted from design changes WisDOT implemented after collaborating with DNR to identify ways to avoid and minimize impacts to natural resources.

- **Page 33, ER and EA Template Section 7, Summary of Alternatives**

In the discussion of the I-41 and South Bridge Connector (County EB/GV) interchange, added that the South Bridge Connector was included in the Tier 1 environmental documentation as a four-lane road, clarified that Brown County will construct the arterial east and west of the interchange, and added that Brown County is considering constructing the arterial as a two-lane road until such time as traffic warrants a four-lane road.

- **Page 34, ER and EA Template Section 8, Description of Preferred Alternative**

Revised the total new right-of-way required from 95 to 93 due to design changes at the County S interchange. Removed the two business relocations in the northwest quadrant of the WIS 441 interchange. The Project will no longer displace these two businesses. The design at the WIS 441 system interchange was refined to not impact the property buildings, and while the Project would make the loading docks at the two businesses unusable, the owners preferred WisDOT pay the cost to cure the damages from partial acquisition rather than a full buyout for relocation.

- **Page 35, ER and EA Template Section 8, Description of Preferred Alternative**

Clarified that Brown County will construct the South Bridge Connector east and west of the interchange. Noted that Brown County is considering constructing the arterial as a two-lane road until such time as traffic warrants a four-lane road.

- **Page 36, ER and EA Template Section 8, Description of Preferred Alternative**

Noted that the communications tower will be 300 to 400 feet, not 300 to 350 feet as previously stated. Noted that the Transportation Management Plan (TMP) would be completed during final design, and WisDOT will coordinate with local governments during the TMP development and solicit input during public involvement meetings that will be held during final design.

- **Page 37, ER and EA Template Section 10, Planning and Zoning**

Updated with the most current TIP (*2022-2025 Transportation Improvement Program for the Green Bay Urbanized Area*).

- **Page 41, ER and EA Template Section 14, Public Involvement**

Noted that a public hearing was held on July 27, 28, and 29, 2021. Added reference to the Environmental Document Availability and Hearing Summary for additional details.

- **Page 42, ER and EA Template Section 15, Summarize the Results of Public Involvement**

Removed the two business relocations near the WIS 441 interchange. The design at the WIS 441 system interchange was refined to not impact the property buildings, and while the Project would make the loading docks at the two businesses unusable, the owners preferred WisDOT pay the cost to cure the damages from partial acquisition rather than a full buyout for relocation.

- **Pages 43-45, ER and EA Template Section 16, Local, County, State, Tribal, Federal Government Coordination**

Noted additional meetings that have occurred since the EA was made available for agency and public

review.

- **Pages 49-54, ER and EA Template Section 19, Agency and Tribal Coordination**

Noted that a revised conceptual stage relocation plan was completed in August 2021. The revised conceptual stage relocation plan is in Appendix D. Deleted footnote stating, "Since the completion of the Conceptual Stage Relocation Plan in March 2021, the residential relocation east of I-41 has been avoided." The residential relocation east of I-41 at the South Bridge Connector interchange was removed from the revised conceptual stage relocation plan in August 2021. In addition, the revised conceptual stage relocation plan includes the additional residential relocation along Rose Hill Road and no longer includes the two business relocations near the WIS 441 interchange.

Noted that the Department of Agriculture, Trade, and Consumer Protection (DATCP) published the Agricultural Impact Statement (AIS) on August 6, 2021. The AIS is included in Appendix H. Also, described the August 12, 2021, meeting with U.S. Army Corps of Engineers (USACE), July 2021 consultation with the U.S. Fish and Wildlife Service (USFWS) regarding the communication tower, August 2021 correspondence with DNR and USFWS regarding bald and golden eagles, and October 2021 correspondence with DNR regarding the impact to the state-threatened plant. Added bullet describing when the revised Section 106 review was sent to SHPO and the date SHPO concurred. The approved revised Section 106 form is in Appendix E. Lastly, added that WisDOT emailed the American Indian Tribes informing them of the changes to the Project since last correspondence, and requested from the Oneida Nation an updated archaeological records review.

- **Page 54, ER and EA Template Section 20, Alternatives Comparison (Preferred Alternative)**

Revised the total new right-of-way required from 95 to 93 due to design changes at the County S interchange. Revised the number of commercial units required from two to zero and total buildings required for the Preferred Alternative from four to three to account for changes in residential and business relocations. Revised the total area required from farm operations, number of wetlands permanently impacted, and number of stream crossings to account for design changes at the County S interchange. Revised number of contaminated sites impacted from 164 to 167.

- **Page 57, ER and EA Template Section 20, Alternatives Comparison (WIS 441 Interchange)**

Revised the number of commercial units required and total buildings required from two to zero for the 55 mph Flyover alternative (preferred). The Project will no longer displace these two businesses. The design at the WIS 441 system interchange was refined to not impact the property buildings, and while the Project would make the loading docks at the two businesses unusable, the owners preferred WisDOT pay the cost to cure the damages from partial acquisition rather than a full buyout for relocation.

- **Page 63, ER and EA Template Section 20, Alternatives Comparison (County S)**

Revised the total area converted to right-of-way from 6.8 to 4.5 acres; wetlands permanently impacted from approximately 2 to 1 acre; stream crossings from two to one; and farmland impact from 6.5 to 4.2 acres for the diamond with roundabouts interchange alternative (preferred) due to design changes.

- **Page 66, ER and EA Template, Section 22, Environmental Factors Matrix**

In the *Business and Economic* row and *Relocations* row, removed the two business relocations at the WIS 441 interchange. The Project will no longer displace these two businesses. The design at the WIS 441 system interchange was refined to not impact the property buildings, and while the Project would make the loading docks at the two businesses unusable, the owners preferred WisDOT pay the cost to cure the damages from partial acquisition rather than a full buyout for relocation. Revised the farmland impact in the *Agriculture* row from 6.5 to 4.2 acres at County S due to design changes. **Page 68, ER and EA Template Section 22, Environmental Factors Matrix**

Revised Section 4(f) row to update the impact to Prairie Hill Park, state that the Project will have Section 4(f) de minimis impacts at the County Forest and Prairie Hill Park, and add a reference to the appendix with the

de minimis worksheets. Added that the mountain bike trails at Prairie Hill Park were constructed using federal Recreational Trails Program funding and that the Project would temporarily impact them during construction in the *Section 6(f) and other Unique Funding* row; noted WisDOT will coordinate with the Town of Grand Chute and Northeast Wisconsin Trails group regarding trail closures during construction. Updated the number of wetlands permanently impacted from 36 to 35 and the total number of wetlands impacted from 141 to 140 in the *Wetlands* row due to design changes at the WIS 15 and County S interchanges, and South Bridge Connector crossing of Hemlock Creek.

- **Page 69, ER and EA Template Section 22, Environmental Factors Matrix**

Revised the number of stream crossings from 26 to 25 in the *Surface Water Resources* row due to design changes at the County S interchange. Updated impacts to state threatened species in the *Threatened, Endangered or Protected Species* row.

- **Page 70, ER and EA Template Section 22, Environmental Factors Matrix**

Added the Preliminary Phase 1 Hazardous Material Assessment recommendations in the *Hazardous Substances, Contamination and Asbestos* row. In the *Stormwater* row, noted that a small segment of Drainage District #5 overlaps with the I-41 Project reconstruction limits; also noted that WisDOT would conform to TS4 and NR 151/216 to minimize adverse effects.

- **Page 71, ER and EA Template Section 23, Environmental Commitments**

In the *Business and Economics* row, noted that WisDOT will look into enhanced transit service to mitigate anticipated congestion during construction. Removed “potential” from “potential de minimis impacts” in the *Section 4(f)* row.

- **Page 72, ER and EA Template Section 23, Environmental Commitments**

Added commitment to reestablish the temporarily impacted mountain bike trails and post signage alerting trail users of upcoming construction in the *Section 6(f) and Other Specially Funded Lands* row; noted that WisDOT will coordinate with the Town of Grand Chute and Northeast Wisconsin Trails group regarding trail closures during construction. Added that surface waters would be relocated in some places, Section 401 water quality certification and a Section 404 permit would be obtained, and WisDOT would continue coordination with USACE and DNR to determine appropriate mitigation in the *Surface Water Resources* row. Added mitigation for impacts to state-listed species in the Threatened and/or Endangered Species row.

- **Figure 2, South Bridge Connector Tier 1 and Tier 2 Relationship**

Removed “(if appropriate)” after “Environmental Assessment/FONSI” in the text box.

- **Preferred Alternative Map Series, Pages 1, 2 and 19**

Revised maps to show revised impact at Prairie Hill Park.

- **Preferred Alternative Map Series, Pages 2-3**

Revised the maps to show the location of Barrier 3 closer to the roadway shoulder (approximately six feet from the shoulder) and extended the eastern limit of Barrier 3 to approximately 400 feet east of the railroad tracks.

- **Preferred Alternative Map Series, Pages 5-6 and 22**

Removed the two business relocations in the northwest quadrant of the WIS 441 interchange.

Preferred Alternative Map Series, Pages 15 and 27 Revised to show design changes at the County S interchange.

- **Preferred Alternative Map Series, Page 28**

Revised to show corrected wetland impacts at the Hemlock Creek crossing.

- **Preferred Alternative Map Series, Page 29**

Added Drainage District #5 to the map. A small segment of Drainage District #5 overlaps with the reconstruction limits of the I-41 Project.

- **Factor Sheet F1, Business and Economics Evaluation**

- Page 2, Item 3. Deleted the two business relocations at the WIS 441 interchange and removed reference to the *Relocations* Factor Sheet. The design at the WIS 441 system interchange was refined to not impact the property buildings, and while the Project would make the loading docks at the two businesses unusable, the owners preferred WisDOT pay the cost to cure the damages from partial acquisition rather than a full buyout for relocation.
- Page 2, Item 5. Changed all values in the table to zero since there will be no business relocations.
- Page 3, Items 6 through 12. Per the guidance in the Factor Sheet, "If no businesses will be displaced, Items 7 through 12 do not need to be addressed or included in the environmental document. If no jobs will be displaced, Item 6 does not need to be answered either." Removed information from Items 6 through 12.

- **Factor Sheet F3, Aesthetics Evaluation, Page 1**

Noted the communications tower will be 300 to 400 feet, not 300 to 350 feet as previously stated.

- **Factor Sheets F4a, F4b, F4c, and F4d, Agriculture Evaluation**

Noted that DATCP published the AIS on August 6, 2021 in Item 5. The AIS is included in Appendix H.

- **Factor Sheet F4a, Agriculture Evaluation, Page 1**

Updated the fee acres (the acres of full acquisition of land including all rights and interests), total area acquired from farm operations, and number of farm operations from which land would be acquired due to design changes at the County S interchange that occurred after the Environmental Assessment was completed.

- **Factor Sheet F4c, Agriculture Evaluation, Pages 1-3**

- Item 1. Revised the number of fee acres (the acres of full and complete acquisition of land including all rights and interests) and total area acquired from farm operations due to design changes at the County S interchange.
- Item 2. Revised the number of farm operations from which land would be acquired due to design changes at the County S interchange.
- Item 6. Revised the acres acquired from five properties due to design changes at the County S interchange. Revised the exhibit at the end of the factor sheet to reflect the design changes.
- Item 8. Revised the acres acquired from Tax ID L-20 from 2.6 to 2.0 acres. The severance would result in 1.1 acres separated from the remaining 33.3 acres of cropland.

- **Factor Sheet F5, Relocations Evaluation**

- Page 1, Item 1E. Unchecked the box indicating that the Project will acquire occupied business building(s) and removed the two light-industrial/commercial building relocations. The design at the WIS 441 system interchange was refined to not impact the property buildings, and while the Project would make the loading docks at the two businesses unusable, the owners preferred WisDOT pay the cost to cure the damages from partial acquisition rather than a full buyout for relocation.
- Page 3, Item 3A. Deleted the two business relocations at the WIS 441 interchange and removed reference to Figure F5-2. Indicated there will be no business relocations.

Environmental Document Availability and Hearing Summary

- Page 3, Item 3A-1. Revised the number of businesses in tenant-occupied buildings from two to zero.
- Page 3, Item 3A-2. Deleted the estimated number of relocated businesses by type and price range.
- Page 3, Item 3B-1. Deleted the number of available and comparable buildings by type and price.
- Page 3, Item 3D. Deleted the source information used to complete the information.
- Page 3, Item 3E. Revised any special considerations from “None” to “Not applicable”.
- Page 4, Item 5. Deleted reference to businesses.
- Page 4, Item 9. Noted that no comments were received about residential relocations at meetings with local communities and the Local Officials Meetings. Clarified that meetings in late 2020 pertained to the two potential business relocations at the time. Added sentence stating that the two business relocations have been avoided.
- **Appendix F4-1, Agriculture Evaluation (Non-Preferred Alternatives)**

Noted that DATCP published the AIS on August 6, 2021 in Item 5 of each of the non-preferred alternative factor sheets. The AIS is included in Appendix H.
- **Factor Sheet F6, Environmental Justice Evaluation**
 - Pages 1-3, Item 1. Noted that the U.S. Census Bureau uses the Department of Health and Human Services criterion for defining “low income” and described the criterion. In Table F6-2, added a footnote noting that the population living below poverty level is based on the Department of Health and Human Services criterion.
 - Page 4, Item 2. Described the additional outreach conducted following EA approval.
- **Factor Sheet F7a, Section 4(f) Evaluation**
 - Page 2, Item 5. Noted that the Project will have Section 4(f) de minimis impact at the County Forest.
 - Page 3, Item 6. Removed “(pending coordination with Outagamie County and public input).” Coordination with Outagamie County and public input are complete.
 - Page 5, Item 8. Noted that the finding of de minimis impact worksheet is included in Appendix F7a-1.
- **Factor Sheet F7b, Section 4(f) Evaluation**
 - Page 2, Item 5. Noted the mountain bike trails and removed statements that the land is unimproved and doesn’t contain any recreational amenities.
 - Page 2, Item 5. Updated description of impact from permanent impact of 0.9 acre to temporary impact of 0.15 acre.
 - Page 2, Item 5. Noted that the Project will have a Section 4(f) de minimis impact at Prairie Hill Park.
 - Page 3, Item 6. Removed “(pending coordination with the Town of Grand Chute and public input).” Coordination with the Town of Grand Chute and public input are complete.
 - Page 5, Item 8. Noted that the finding of de minimis impact worksheet is included in Appendix F7b-1.
 - Page 5, Item 11. Unchecked “No” and checked “Yes” to indicate special funding was used to make improvements to the property.

- **Factor Sheet F8, Wetlands Evaluation, Page 2**

- Describe Work and Anticipated Impacts, Item 2A. Revised the acres of wetlands avoided from 3.70 to 3.470 due to design changes and recategorizing the impact reduction of one wetland from avoidance to impact minimization at the County S interchange.
- Describe Work and Anticipated Impacts, Item 2A-1. Added the design changes at the County S interchange leading to changes in the acreage and number of wetlands avoided.
- Describe Work and Anticipated Impacts, Item 2A-2. Revised the total area of wetlands avoided from 3.70 acres to 3.470 acres.
- Describe Work and Anticipated Impacts, Item 2B. Revised the wetland impacts minimized from 0.320 acre from 3 wetlands to 1.519 acres from 7 wetlands due to design changes at the WIS 15 interchange and design changes and recategorizing the impact reduction of one wetland from avoidance to impact minimization at the County S interchange.
- Describe Work and Anticipated Impacts, Item 2B-1. Added the design changes at the County S interchange leading to changes in the acreage and number of wetland impacts minimized.
- Describe Work and Anticipated Impacts, Item 2B-2. Revised the total area of wetlands saved through minimization from 0.320 acre to 1.519 acres.
- Coordination and Permitting, Item 1. Revised the number of wetland acres requiring mitigation and acres temporarily impacted due to design changes at the WIS 15 and County S interchanges and corrected wetland impacts for the South Bridge Connector interchange.

- **Factor Sheet F8, Wetlands Evaluation, Page 4**

Expanded on coordination with DNR.

- **Table F8-1, Wetlands Affected by the Preferred Alternative, Pages 4**

Updated wetland impacts based on design changes at the WIS 15 interchange.

- **Table F8-1, Wetlands Affected by the Preferred Alternative, Pages 44-47**

Updated wetland impacts based on design changes at the County S interchange.

- **Table F8-1, Wetlands Affected by the Preferred Alternative, Pages 51 and 53**

Updated wetland impacts with corrected wetland impacts at the South Bridge Connector interchange.

- **Table F8-1, Wetlands Affected by the Preferred Alternative, Page 54**

Updated total wetland impacts based on design changes at the WIS 15 and County S interchanges and corrected wetland impacts for the South Bridge Connector interchange.

- **Table F8-9, Wetland Mitigation for the Preferred Alternative, Pages 1, 3-4**

Updated wetland mitigation acres based on design changes at the WIS 15 and County S interchanges, and corrected wetland impacts for the South Bridge Connector interchange.

- **Factor Sheet F9b, Surface Waters Evaluation (Apple Creek), Pages 6 and 7**

- Item 11. Added August 12, 2021 with USACE.
- Item 12. Added measures proposed for relocating surface waters.
- Item 13. Added measures proposed to enhance beneficial effects.

- **Factor Sheet F9d, Surface Waters Evaluation (Ashwaubenon Creek), Pages 5, 7-8**
 - Page 5, Item 12. Described design changes that occurred at the County S interchange to minimize impacts to surface waters.
 - Page 7, Table F9d-3. Updated the impacts at the County S interchange to Waterway S-A-3 at two locations for the diamond with roundabouts alternative (preferred).
 - Page 8, Table F9d-3. Updated the impacts (no impact) at the County S interchange to Unnamed Stream 5019660 for the diamond with roundabouts alternative (preferred).
- **Factor Sheet F9e, Surface Waters Evaluation (Hemlock Creek), Pages 4 and 5**
 - Item 7. Noted the Hemlock Creek corridor is a high-quality environmental corridor and described why.
 - Item 8. Noted that the hydrology and hydraulics analysis concluded a 145-foot bridge could clear Hemlock Creek. Noted ongoing coordination with DNR.
 - Item 9. Stated that the bridge over Hemlock Creek “will” span the creek, instead of “is anticipated to.” Clarified that Brown County would aim to avoid construction in the waterway.
 - Item 11. Added DNR coordination.
 - Item 12. Described continued coordination with DNR. Noted that Brown County may construct the arterial that would cross Hemlock Creek as a two-lane roadway until such time as traffic warrants four lanes.
- **Factor Sheets F10a, F10b, F10c, F10d, Floodplains Evaluation**
 - In Item 10, described why compensatory floodplain storage cannot be determined at this time. This will be determined once hydrology and hydraulics analyses are conducted.
- **Factor Sheet F11, Threatened and Endangered Species Evaluation, Page 2**
 - State Resources, Item 2. Unchecked “No”, checked “Yes”, and noted one state-listed plant species will be impacted by the proposed improvements to the WIS 15/County OO interchange.
 - State Resources, Item 3. Revised to state that a state-threatened plant species was found outside the project area during June and July 2021 surveys in the Outagamie County portion of the Project area, but a state-threatened plant species was found in the reconstruction limits in the vicinity of the WIS 15/County OO interchange. Noted that WisDOT informed DNR of the finding and will continue to coordinate with DNR to identify measures to avoid the species and minimize impact to its habitat permanently and temporarily during construction.
 - State Resources, Item 4. Unchecked “No”, checked “Yes” and added measures agreed upon with DNR including working together to explore avoidance/minimization measures, working through the incidental take process if avoidance is unachievable, relocating the plant prior to construction to a location agreed upon with DNR, aiming to provide a buffer between the limits of construction and the plants, and marking off the plants prior to construction to avoid impact by construction equipment.
- **Factor Sheet F11, Threatened and Endangered Species Evaluation, Page 3**

Referenced additional correspondence with USFWS and DNR regarding bald and golden eagles (Appendix G-2).
- **Factor Sheet F14, Traffic Noise Evaluation, Page 3-5**

In Item 4, added a summary of the additional noise analysis conducted in August 2021 for the three Royal St. Patrick’s developments and planned multi-family development at the former mini-golf course. Added a figure with the noise receivers for the Royal St. Patrick’s developments. In Item 6, revised the extent of

Environmental Document Availability and Hearing Summary

Barrier 3 (the third bullet) to approximately 400 feet east of the railroad tracks. Previously, the eastern limit of barrier 3 was the railroad tracks, but the barrier was extended to the east to account for the new apartments at the site of the former mini-golf course east of the railroad tracks.

- **Table F14-1, Summary of Noise Barrier Analysis, Pages 1, 3 and 4**

Combined R41 with R36-R40 and updated values to reflect extension of Barrier 3 east of the railroad tracks. When the land use was for a “sports area” R41 did not qualify for a noise barrier. The land use will change to “multi-family” based on the City of Appleton’s approval of a multi-family development, and in combination with the multi-family receptors west of the railroad tracks, it is now reasonable and feasible for R41 to have a noise barrier. For Barrier 6, added the additional analysis conducted for the Royal St. Patrick’s developments.

- **Table F14-2, Summary of Receptor Data, Page 2**

Due to a land use change, revised Column C of the R41 row from “Sports Area” to Multi-Family (16)”.

- **Exhibit F14-1, Traffic Analysis Maps, Pages 5 and 6**

Revised the maps to show the location of Barrier 3 closer to the roadway shoulder (approximately six feet from the shoulder) and extended the eastern limit of Barrier 3 to approximately 400 feet east of the railroad tracks.

- **Factor Sheet F15, Hazardous Substances, Contamination and Asbestos Evaluation, Page 1**

Summarized the Preliminary Phase 1 Hazardous Material Assessment recommendations in Item I-1.

- **Table F15-1, Hazardous Substances and Contamination**

Added the Preliminary Phase 1 Hazardous Material Assessment recommendations to fourth column of the table.

- **Factor Sheet F16, Stormwater Evaluation, Page 2**

Added discussion of Drainage District #5 under Item 6. A small segment of Drainage District #5 overlaps with the reconstruction limits of the I-41 Project.

- **Factor Sheet F17, Section 6(f) or Other Unique Properties**

New factor sheet added since the EA to describe federal Recreational Trails Program funding used to construct the mountain bike trails at Prairie Hill Park.

- **Appendix B, Alternatives Tables, WIS 15/County OO, Page 1**

Updated the impact at Prairie Hill Park.

- **Appendix B, Alternatives Tables, WIS 441 Interchange, Page 1**

Removed the two business relocations from the 55-mph Design Speed Flyover Ramps alternative (preferred). Indicated that there would be no business/residential relocations.

- **Appendix B, Alternatives Tables, County S Interchange, Page 1**

Revised the acres of new right-of-way required from 6.8 to 4.5, acres of farmland impact from 6.5 to 4.2, acres of permanent wetland impacts from 2 to 1, and number of waterway crossings from two to one for the diamond with roundabouts interchange alternative (preferred) due to design changes. Noted there is no impact to threatened and endangered species.

8. Describe the preferred alternative:

- ☐ The preferred alternative is the same as that described in the environmental document.
- ☒ The preferred alternative is different from that described in the environmental document. Explain changes

Environmental Document Availability and Hearing Summary

and why another alternative was selected:

The Preferred Alternative design at the County S interchange was modified after collaborating with DNR to avoid and minimize impacts to wetlands and small streams. In the northwest quadrant of the interchange, Mid Valley Drive, which serves as the frontage road on the west side of I-41, was realigned to avoid a new crossing of an unnamed stream. In the southwest quadrant, the alignment of Mid Valley Drive was shifted further east, closer to I-41, to avoid wetland impacts. In the southeast quadrant of the County S interchange, French Road, which is the frontage road east of I-41, was realigned to minimize wetland impacts. See pages 15 and 27 of the Preferred Alternative Maps.