

Appendix I. Section 106

From: [Benjamin Rhodd](#)
To: [Pritzlaff, Frank J - DOT](#)
Subject: RE: WisDOT request for comment and notification of Federal undertaking under 36 CFR 800 (1012-05-03) ENV-AGC
Date: Tuesday, June 21, 2022 10:25:05 AM
Attachments: [image001.png](#)

**CAUTION: This email originated from outside the organization.
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Mr. Pritzlaff,

Pursuant to consultation under Section 106 of the National Historic Preservation Act (1966 as amended) the Forest County Potawatomi Community (FCPC), a Federally Recognized Native American Tribe, reserves the right to comment on Federal undertakings, as defined under the act.

The Tribal Historic Preservation Office (THPO) staff has reviewed the information you provided for the project. Upon review of site data and supplemental cultural history within our Office, the FCPC THPO has concerns regarding the forthcoming project as designed give that there may be disturbance of lands previously not impacted by the present ROW. Additionally, we do wish to remain as a consulting party for this project.

As a standard caveat sent with each proposed project reviewed by the FCPC THPO, the following applies. In the event an Inadvertent Discovery (ID) occurs at any phase of a project or undertaking as defined, and human remains or archaeological materials are exposed as a result of project activities, work should cease immediately, and the Tribe(s) must be included with the SHPO in any consultation regarding treatment and disposition of the find.

Thank you for protecting cultural and historic properties and if you have any questions or concerns, please contact me at the email or number listed below.

Respectfully,

Ben Rhodd, MS, RPA Tribal Historic Preservation Officer
Forest County Potawatomi
Historic Preservation Office
8130 Mish ko Swen Drive, P.O. Box 340, Crandon, Wisconsin 54520
P: 715-478-7354 C: 715-889-0202 Main: 715-478-7474
Email: Benjamin.Rhodd@fcp-nsn.gov
www.fcpotawatomi.com

From: Pritzlaff, Frank J - DOT <Frank.Pritzlaff@dot.wi.gov>
Sent: Monday, June 20, 2022 2:21 PM
To: MikeW <Mikew@badriver-nsn.gov>; Ned Daniels Jr. <Ned.DanielsJr@fcp-nsn.gov>; WhiteEagle, Marlon <Marlon.WhiteEagle@ho-chunk.com>; Louis Taylor <Louis.taylor@lco-nsn.gov>; Johnson, J <jjohnsonsr@ldftribe.com>; Chairman-MITW <chairman@mitw.org>; Shannon Holsey

<shannon.holsey@mohican-nsn.gov>; thill7@oneidanation.org; Boyd, Chris <Chris.boyd@redcliff-nsn.gov>; William R <williamr@stcroixojibwe-nsn.gov>; robert.vanzile@scc-nsn.gov; brtsecretary@badriver-nsn.gov; George Ermert <george@martinschreiber.com>; cinnamon.lonetree@ho-chunk.com; Miller, Terri <Terri.Miller@lco-nsn.gov>; Brooks Jerome <blabarge@ldftribe.com>; Cook, Melissa - OCI <mcook@mitw.org>; jody.hartwig@mohican-nsn.gov; Aguirre, Tana <TAGUIRRE@oneidanation.org>; Gordon, Jean <jean.gordon@redcliff-nsn.gov>; Taylor, Lewis <michaeld@stcroixtribalcenter.com>; McGeshick, Carmen - DMA <carmen.mcgeshick@scc-nsn.gov>; Ken Walsh <ken@martinschreiber.com>; julie.gordon@redcliff-nsn.gov; rick.peterson@redcliff-nsn.gov; susanl@stcroixojibwe-nsn.gov; TribalChairman@scc-nsn.gov; Peters, Laurie <lpeters@mitw.org>; Chairman-MITW <chairman@mitw.org>; Ken Walsh <ken@martinschreiber.com>

Cc: Taylor, Brian F - DOT <BrianF.Taylor@dot.wi.gov>; DOT BEES Cultural Resources <bees.cr@dot.wi.gov>; Schave, Daniel L - DOT <Daniel.Schave@dot.wi.gov>; Oettinger, James - DOT <James.Oettinger@dot.wi.gov>; Coughlin, Amy - DOT <Amy.Coughlin@dot.wi.gov>; Pritzlaff, Frank J - DOT <Frank.Pritzlaff@dot.wi.gov>; 'Caron Kloser' <CKloser@HNTB.com>; Kowske, Andy <akowske@hntb.com>; Bennett, Nicholas <nbennett@hntb.com>; 'Adam Clayton' <adamc@jt-engineering.com>; Liska, Michael <michaell@jt-engineering.com>; Andreas, Brian <Brian.Andreas@strand.com>; Held, Jeff <jeff.held@strand.com>; Prasad S. Narayan, PE <prasad@kapurinc.com>; Webb, Charlie/MKE <charlie.webb@jacobs.com>

Subject: WisDOT request for comment and notification of Federal undertaking under 36 CFR 800 (1012-05-03) ENV-AGC

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

WisDOT Project: 1012-05-03
Highway/Termini: US 12/18 to US 12/WIS 16
County: Dane, Columbia, Sauk and Juneau Counties

1012-05-03 ENV-AGC

The Federal Highway Administration (FHWA) and Wisconsin Department of Transportation (WisDOT) are conducting an Interstate (I) 39/90/94 Study in Dane, Columbia, Sauk and Juneau counties (see attached map). The 62-mile study corridor begins at the United States Highway (US) 12/18 Beltline Interchange in Madison and terminates just north of the US 12/ Wisconsin State Highway (WIS) 16 interchange in Wisconsin Dells. In addition, the study will evaluate I-39 from the I-39 and I-90/94 split near Portage (locally known at the Petro Interchange) to Levee Road. The project excludes the I-39/90/94 bridge over the Wisconsin River in Columbia County. Replacement of the bridge has been included in a separate project. It is anticipated an Environmental Impact Statement (EIS) will be prepared for this Study.

WisDOT anticipates publishing a Notice of Intent to formally announce preparing an EIS later this year. In advance of the NOI publication, WisDOT is developing a preliminary purpose and need statement and a preliminary range of alternatives.

WisDOT has identified preliminary project needs to address existing and future traffic demands, safety issues and aging and outdated corridor infrastructure. Anticipated alternatives that address project needs could include travel demand management, spot reconstruction improvements and modernizing the highway through reconstruction that may or may not include capacity expansion. The EIS will also address not implementing any improvements, also referred to as the No Build

alternative. The types of potential impacts that could result from reconstruction include physical disturbance of natural, community, cultural or Tribal resources; right of way acquisition of commercial, residential, agricultural, or public lands; relocations; noise impacts; air quality impacts; or impacts from disturbing hazardous materials.

Your tribe has requested to be notified of undertakings in this area of Wisconsin.

FHWA and WisDOT would be pleased to receive any comments your tribe wishes to share regarding the determination of the APE or potential impacts to historic properties and/or burials in this undertaking. Additionally, you may use this opportunity to request consultation pursuant to 36 CFR 800.3. WisDOT understands that your tribe is a sovereign nation and as such has the discretion to consult government to government with the FHWA directly.

As part of the study effort, WisDOT has contracted with consultants to conduct various environmental field surveys including wetlands, streams/rivers/floodplains, threatened and endangered species, archaeological, historical, hazardous materials, and noise reading surveys. Results of these studies will assist project staff in the design to avoid, minimize or mitigate the proposed project's effect upon cultural and natural resources. If WisDOT identifies the potential for historic properties to be affected, you will be provided more information.

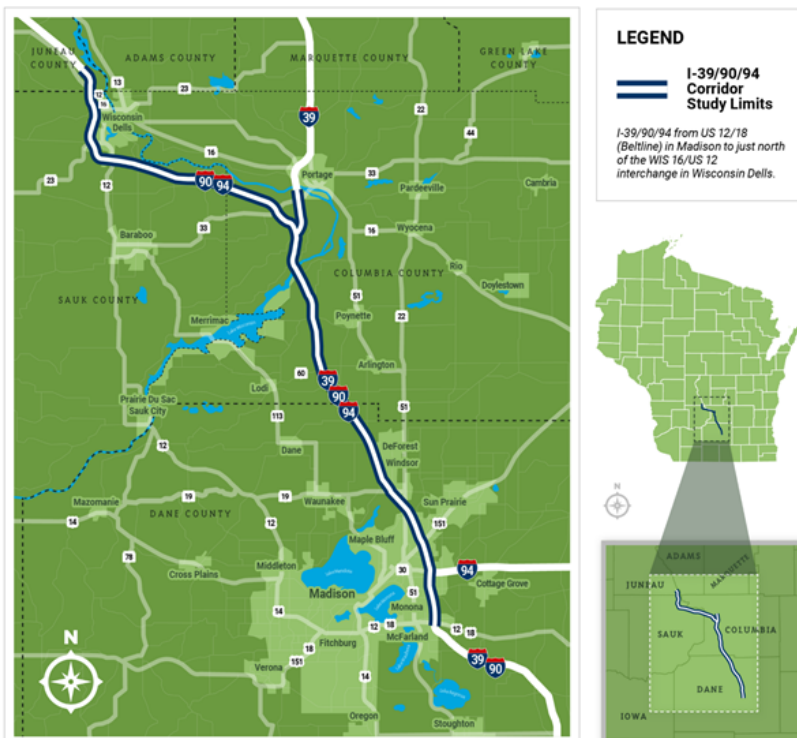
To ensure your comments are considered during this early phase of project development, WisDOT requests a response within 30 days of receipt of this letter.

If your tribe wishes to become a consulting party under Section 106 of the National Historic Preservation Act or would like to receive additional information regarding this proposed project, please reply to this email or contact:

WisDOT Project Manager: Frank Pritzlaff, P.E.

Phone: 262-548-5683

Address: 2101 Wright Street, Madison, WI 53704





SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION

Wisconsin Department of Transportation
DT1635 8/2022

For instructions, see [FDM Chapter 26](#).

WHS Case # 23-1050

I. PROJECT INFORMATION

☐ Amended Submittal (include new information only)

Project ID 1015-05-00, 1012-05-01/02	Highway – Street I-39/90/94 and I-39	County Dane, Columbia, Sauk, and Juneau
Project Termini 1015-05-00: I-90, Wisconsin Dells - Portage, STH 16/USH 12 to IH-39 1012-05-01: I-39, Madison - Portage, STH 60 to Levee Road 1012-05-02: I-39, Madison - Portage, USH 12/18 to STH 60		Region – Office Southwest - Madison
Regional Project Engineer – Project Manager Frank J. Pritzlaff, P.E.		(Area Code) Telephone Number (608) 246-5443
Consultant Project Engineer – Project Manager Andrew Kowske, P.E., HNTB Corporation		(Area Code) Telephone Number (414)-238-5674
Archaeological Consultant Commonwealth Heritage Group, Rhiannon M. Jones, M.A., R.P.A.		(Area Code) Telephone Number (612) 246-0509
Architecture/History Consultant Commonwealth Heritage Group, Kate Stanger, M.A.		(Area Code) Telephone Number (414)-446-4121

II. PROJECT DESCRIPTION

Project Length 67 miles	Land to be Acquired: Fee Simple 298 acres	Land to be Acquired: Easement 180 acres
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Distance as measured from existing centerline	Existing	Proposed	Other Factors	Existing	Proposed
Right of Way Width	160'-775'	160-775	Terrace Width n/a	n/a	n/a
Shoulder	10' - 12'	12'	Sidewalk Width n/a	n/a	n/a
Slope Intercept	varies	varies	Number of Lanes 4 to 6	4 to 6	up to 8
Edge of Pavement	varies	varies	Grade Separated Crossing	n/a	n/a
Back of Curb Line n/a	n/a	n/a	Vision Triangle n/a acres	n/a	n/a
Realignment	n/a	n/a	Temporary Bypass n/a acres	n/a	n/a
Other – List:			Stream Channel Change	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Attach Map(s) that Depict "Maximum" Impacts.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Tree Topping and/or Grubbing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Brief Narrative Project Description: Include all ground disturbing activities. For archaeology, include plan view map indicating the maximum area of ground disturbance and/or new right of way, whichever is greater. Include all temporary, limited and permanent easements. For amendments (e.g. design refinements, scope changes, etc) description should only include new/added project actions and materials.

☒ Add continuation sheet, if needed.

SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION (continued)

Wisconsin Department of Transportation DT1635

III. CONSULTATION: How has notification of the project been provided to:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Property Owners | <input checked="" type="checkbox"/> Historical Societies/Organizations | <input checked="" type="checkbox"/> Native American Tribes |
| <input checked="" type="checkbox"/> Public Information Meeting Notice | <input type="checkbox"/> Public Information Meeting Notice | <input checked="" type="checkbox"/> Public Info. Mtg. Notice |
| <input checked="" type="checkbox"/> Letter - Required for Archaeology | <input type="checkbox"/> Letter | <input checked="" type="checkbox"/> Letter |
| <input type="checkbox"/> Telephone Call | <input type="checkbox"/> Telephone Call | <input type="checkbox"/> Telephone Call |
| <input type="checkbox"/> Other: | <input checked="" type="checkbox"/> Email | <input checked="" type="checkbox"/> Email |

Attach one copy of the base letter, list of addresses and comments received. For history include telephone memos as appropriate.

IV. AREA OF POTENTIAL EFFECTS – APE

ARCHAEOLOGY: Area of potential effect for archaeology is the existing and proposed ROW, temporary and permanent easements. Agricultural practices do not constitute a ground disturbance exemption.

HISTORY: Describe the area of potential effects for buildings/structures. Please work with your architecture/history consultation to complete this section.

Buildings and structures APE: Includes properties within one-quarter mile of IH 39/90/94 between existing interchanges and grade separations, and properties within one-half mile of existing interchanges and grade separations, and the geographic area where there may be direct (physical, visual, auditory, or atmospheric) impacts or indirect (secondary, future, or cumulative) impacts.

V. PHASE I – ARCHAEOLOGICAL OR RECONNAISSANCE HISTORY SURVEY NEEDED

ARCHAEOLOGY	HISTORY
<input checked="" type="checkbox"/> Archaeological survey is needed	<input checked="" type="checkbox"/> Architecture/History survey is needed
<input type="checkbox"/> Archaeological survey is not needed	<input type="checkbox"/> Architecture/History survey is not needed
<input type="checkbox"/> Screening list (date)	<input type="checkbox"/> Screening list (date)
<input type="checkbox"/> Non-Survey Archaeology Documentation attached	<input type="checkbox"/> Non-Survey History Documentation attached

VI. SURVEY COMPLETED

ARCHAEOLOGY	HISTORY
<input type="checkbox"/> Archaeological Survey Field Report (ASFR) attached	<input checked="" type="checkbox"/> Architecture/History Survey Report (AHSR) attached
<input type="checkbox"/> Cemetery/burial documentation attached	<input checked="" type="checkbox"/> Potentially eligible buildings/structures identified
<input checked="" type="checkbox"/> Phase I Report attached	<input type="checkbox"/> Avoided through redesign or outside the APE
<input type="checkbox"/> No Potentially eligible sites identified	<input checked="" type="checkbox"/> Determination of Eligibility (DOE) completed
<input checked="" type="checkbox"/> Potentially eligible site(s) identified	<input checked="" type="checkbox"/> Previously listed/eligible property identified
<input type="checkbox"/> Avoided through redesign or outside APE	<input type="checkbox"/> Avoided through redesign or outside the APE
<input type="checkbox"/> Phase II conducted.	

VII. FORMAL EVALUATION COMPLETED

<input type="checkbox"/> Phase II Report Attached	<input checked="" type="checkbox"/> Determination(s) of Eligibility attached
<input type="checkbox"/> No arch site(s) eligible for NRHP	<input type="checkbox"/> No buildings/structure(s) eligible for NRHP
<input type="checkbox"/> Arch site(s) eligible for NRHP	<input checked="" type="checkbox"/> Buildings/structure(s) eligible for NRHP
<input type="checkbox"/> Site(s) eligible for NRHP – DOE attached	

VIII. COMMITMENTS/SPECIAL PROVISIONS – must be included with special provisions language

☐ Per Wis. Stat. 157.70 obtain burial authorization from WHS one year prior to construction. Please include archaeology site number(s).

☐ Please attach continuation page if needed.

IX. PROJECT DECISION

- ☐ No historic properties (historical or archaeological) in the APE.
- ☐ No historic properties (historical or archaeological) affected.* see SHPO memo regarding A&H survey results
- ☒ Historic properties (historical and/or archaeological) may be affected by project;
- ☐ Documentation for Determination of No Adverse Effects is included with this form. WisDOT has concluded that this project will have No Adverse Effect on historic properties. Signature by SHPO below indicates SHPO concurrence in the DNAE and concludes the Section 106 Review process for this project.*
- ☒ Go to Step 4: Assess affects

* Per 23 CFR 774, WisDOT, on behalf of FHWA, hereby informs SHPO that concurrence with 'No historic properties affected' or 'No Adverse Effect on historic properties' may be used in considering whether a de minimis Section 4(f) finding or a temporary occupancy exception is appropriate. SHPO signature on this form serves as acknowledgement of this official notification.

X. SIGNATURES

X *Frank J. Pritzlaff* 05-15-2023

(WisDOT Regional Signature)

(Date – m/d/yy)

DocuSigned by:
X *Barry Paye* 22 May 2023

(WisDOT Historic Preservation Officer Signature)

(Date – m/d/yy)

DocuSigned by:
X *Kimberly Coof* 14 August 2023

(State Preservation Officer Signature)

(Date – m/d/yy)

WisDOT I.D.: 1015-05-00/1015-05-01/1012-05-02

Project Name: I-39/90/94 Corridor Study

dt1635 Continuation Sheet

Project Description

The Federal Highway Administration (FHWA) and Wisconsin Department of Transportation (WisDOT) are conducting an Interstate (I)-39/90/94 Corridor Study to address existing and future traffic demands, safety issues, aging and outdated infrastructure, and corridor resiliency. The study takes into account two separate ongoing projects in the corridor, both in Columbia County: the I-39/90/94 bridge replacement over the Wisconsin River and the WIS 60 interchange reconstruction. FHWA and WisDOT anticipate evaluating several alternatives, including: No Build and three mainline modernization alternatives. Under all mainline modernization alternatives, all existing interchanges would be reconstructed to modern design standards wherever possible. At the request of the city of Madison, the mainline modernization alternatives will evaluate potential new interchange access alternatives in the Hoepker Road/Hanson Road area on I-39/90/94, and at a proposed extension of Milwaukee Street on I-94, located east of the interchange with I-39/90. Improvements associated with Build alternatives would occur on or near the present freeway alignment, but additional right of way would likely be required, depending on site specific conditions along the study corridor. Additional design detail, including limits of disturbances and locations of acquisitions and easements will be determined during alternatives development and as Section 106 consultation progresses.

From: kimberly.cook@wisconsinhistory.org
To: [Kaliszewski, Katherine N - DOT](#)
Cc: [Cloud, Lynn - DOT](#)
Subject: 23-1050/CO, DA, JU, SK - 1015-05-00, 1012-05-01/02 - Improve I-39/90/94: 1015-05-00: I-90, Wisconsin Dells - Portage, STH 16/USH 12 to IH-39 1012-05-01: I-39, Madison - Portage, STH 60 to Levee Road 1012-05-02: I-39, Madison - Portage, USH 12/18 to STH 60
Date: Monday, August 14, 2023 8:02:24 AM

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Dear Ms. Katie Kaliszewski,

Thank you for the Architecture and History memo providing additional details. We concur Windsor Lake Country Club, 6802 County Highway T, and JCC Camp Chi are not eligible for the National Register. The memo provided no additional information on the interiors of the Indian Baptist Church and the Wisconsin Opry, so we cannot concur with the survey results for those properties at this time. Graphics provided in the memo indicate these properties will not be affected by the project activities. Determinations of Eligibility documents may be necessary, should project activities change.

We look forward to the full WisDOT assessment of effects when it is ready.

Thank you,

Kimberly Cook
Compliance Reviewer
State Historic Preservation Office

Wisconsin Historical Society
816 State Street, Madison, WI 53706

kimberly.cook@wisconsinhistory.org

Wisconsin Historical Society
[Collecting, Preserving, and Sharing Stories Since 1846](#)

Wisconsin Historical Society **Determination of Eligibility Form**

WisDOT Project ID #: 1012-05-02

WHS #: _____

Property Name(s): Founder Shrine

Address/Location: 5901 Cottage Grove Road

City & County: City of Madison, Dane County

Zip Code: 53718

Town: 7N **Range:** 10E **Section:** 11

Date of Construction: 1952

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☒ X Meets the National Register of Historic Places criteria.

☐ Does not meet the National Register of Historic Places criteria.

DocuSigned by:

Barry Page

22 May 2023

WisDOT Historic Preservation Officer

Date

State Historic Preservation Office

In my opinion, the property:

☒ X Meets the National Register of Historic Places criteria.

☐ Does not meet the National Register of Historic Places criteria.

Naama Teubner

4/9/2023

State Historic Preservation Officer

Date

Comments (FOR AGENCY USE ONLY):

Concur eligible criterion A: Religion for early association with Schoenstatt movement in the US. Boundary needs better justification and may need revision. More information is needed on convent and its association with shrine and the larger property.

State Historic Preservation Office

Wisconsin Historical Society

816 State Street

Madison, WI 53706

Wisconsin Historical Society Determination of Eligibility Form

WisDOT Project ID #: 1012-05-02

WHS #: _____

Property Name(s): Seminary Springs School

Address/Location: 3153 Gaston Road

City & County: Town of Burke, Dane County

Zip Code: 53718

Town: 8N

Range: 10E

Section: 36

Date of Construction: 1927

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☒ Meets the National Register of Historic Places criteria.

☐ Does not meet the National Register of Historic Places criteria.

DocuSigned by:

Barry Payne

3E13953827A84D7...

22 May 2023

WisDOT Historic Preservation Officer

Date

State Historic Preservation Office

In my opinion, the property:

☒ Meets the National Register of Historic Places criteria.

☐ Does not meet the National Register of Historic Places criteria.

Naime Tenbrun

State Historic Preservation Officer

6/13/2023

Date

Comments (FOR AGENCY USE ONLY):

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Wisconsin Historical Society Determination of Eligibility Form

WisDOT Project ID #: 1012-05-02

WHS #: _____

Property Name(s): Michel Johnson Engesether House

Address/Location: 4799 Daley Road

City & County: Town of Vienna, Dane County

Zip Code: 53532

Town: 9N

Range: 9E

Section: 25

Date of Construction: c.1846

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☐ Meets the National Register of Historic Places criteria.

☒ Does not meet the National Register of Historic Places criteria.

DocuSigned by:

Barry Page

22 May 2023

3E13953827A84D7

WisDOT Historic Preservation Officer

Date

State Historic Preservation Office

In my opinion, the property:

☐ Meets the National Register of Historic Places criteria.

☒ Does not meet the National Register of Historic Places criteria.

Douglas Thompson
State Historic Preservation Officer

6/9/2023
Date

Comments (FOR AGENCY USE ONLY):

State Historic Preservation Office
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Wisconsin Historical Society Determination of Eligibility Form

WisDOT Project ID #: 1015-05-00

WHS #: _____

Property Name(s): Rocky Arbor State Park
Address/Location: N101 USH 12/STH 16
City & County: Wisconsin Dells, Juneau and Sauk Counties **Zip Code:** 53965
Town: 14N **Range:** 6E **Section:** 32 (Juneau)
13N 6E 5 (Sauk)
Date of Construction: 1932

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☒ Meets the National Register of Historic Places criteria.
☐ Does not meet the National Register of Historic Places criteria.

DocuSigned by:

Barry Page

22 May 2023

WisDOT Historic Preservation Officer

Date

State Historic Preservation Office

In my opinion, the property:

☒ Meets the National Register of Historic Places criteria.
☐ Does not meet the National Register of Historic Places criteria.

Naina Leuker

State Historic Preservation Officer

6/14/2023

Date

Comments (FOR AGENCY USE ONLY):

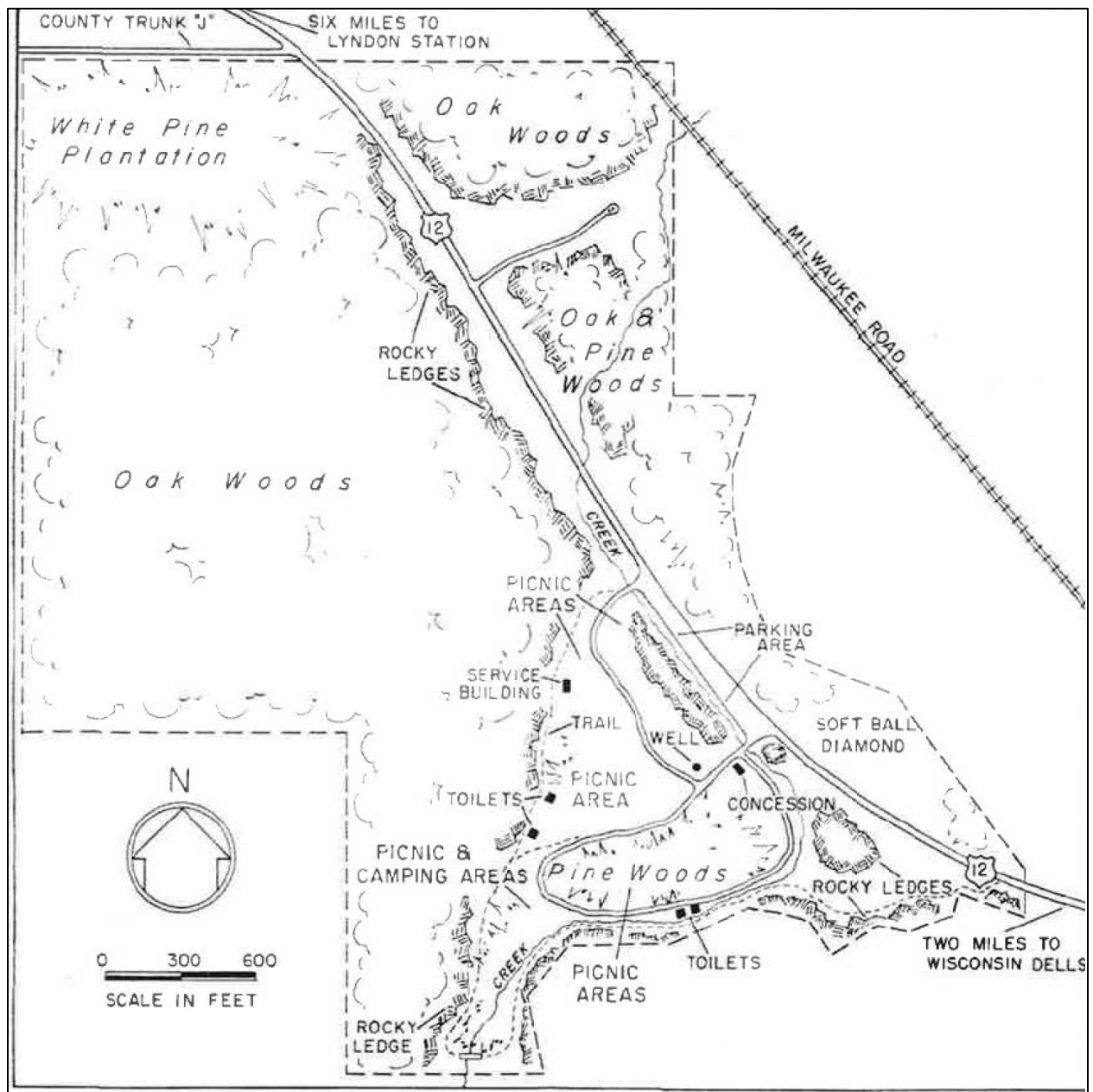
see attached

State Historic Preservation Office
 Wisconsin Historical Society
 816 State Street
 Madison, WI 53706

Compliance 23-1050, WisDOT Project #1015-05-00 Rocky Arbor State Park DOE

I concur the Rocky Arbor State Park meets National Register of Historic Places Criterion A for Conservation as an intact park that was established to preserve the natural landscape. The park continues to display glacial rock formations. The property also meets eligibility for the National Register of Historic Places under Criterion A for Entertainment/Recreation as one of two early roadside parks established in the Wisconsin park system. The park retains foot trails, camping areas, and pit stations from its use as a roadside park, as well as displays the growth of park recreation over time with the erection of modern camping amenities in the 1960s that continue to retain integrity.

Note, the property boundaries should be revised to reflect the original state park boundaries when it was utilized as a roadside park. Since it was originally used as a roadside park, additional land was acquired along the northern property boundary, which should be removed. See attached map for the historic park boundary.



Determination of No Adverse Effect
WisDOT Project IDs 1012-05-02, 1012-05-01, 1015-05-00
WHS# 23-1050 VA

I-39/90/94
1-39, Madison – Portage, STH 60 to Levee Road
I-39, Madison – Portage, USH 12/18 to STH 60
I-90, Wisconsin Dells – Portage, STH 16/USH 12 to I-39
Dane, Columbia, Sauk, and Juneau Counties

The Wisconsin Department of Transportation (WisDOT) and the Federal Highway Administration (FHWA) are evaluating potential improvements to a 67-mile portion of I-39/90/94 corridor in Dane, Columbia, Sauk and Juneau Counties from the Madison beltline (USH 12/18) to just north of the STH 16/USH 12 interchange in the Wisconsin Dells. The project will also evaluate I-39 from U-39 and I-90/94 split near Portage to Levee Road. The purpose of the corridor study is to assess and evaluate how best to address existing and future traffic demands, safety issues, and infrastructure. Seven potential historic resources were identified within the area of potential effect (APE) for the project:

- Adam and Mary Smith House (2531 Smith Crossing, Sun Prairie, Dane County, listed in the National Register)
- Lucinda and Samuel Messerschmidt House (5487 Portage Road, Madison Dane County, determined eligible)
- William Black Farmstead (W9624 Black Road, Dekorra, Columbia County, determined eligible)
- Founder Shrine (5901 Cottage Grove Road, determined eligible)
- Seminary Springs School (3153 Gaston Road, Burke, Dane County, determined eligible)
- Rocky Arbor State Park (N101 USH 12/STH 16, Wisconsin Dells, Juneau and Sauk Counties, determined eligible)
- Johnson Site (47CO0109, potentially eligible)

Project activities within and adjacent to the properties historic boundaries are described within the attached Determination of No Adverse Effect (DNAE). The project was redesigned to avoid the Johnson Site entirely.

Per 23 CFR 774, WisDOT, on behalf of FHWA, hereby informs SHPO that concurrence with “No historic properties affected” or “No Adverse Effect on historic properties” may be used in considering whether a de minimis or Section 4(f) finding of temporary occupancy exception is appropriate. SHPO concurrence with the DNAE serves as acknowledgment of this official notification.



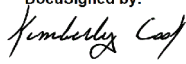
Katie Kaliszewski

01/22/2023

Date

Environmental Analysis & Review Specialist

We concur with your current finding of “no adverse effect” for this project

DocuSigned by:

2F3FB9178D084A4...

13 February 2024

Kimberly Cook

Date

SHPO



SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION

Wisconsin Department of Transportation
DT1635 8/2022

For instructions, see [FDM Chapter 26](#).

WHS Case # 23-1050

I. PROJECT INFORMATION

☒ Amended Submittal (include new information only)

Project ID 1012-05-02 (original submittal also included IDs 1015-05-00 and 1015-05-01)	Highway – Street I-39	County Dane, Columbia
Project Termini US 12/18 to WIS 60	Region – Office Southwest - Madison	
Regional Project Engineer – Project Manager David Schmidt, P.E.	(Area Code) Telephone Number (608) 246-3867	
Consultant Project Engineer – Project Manager Nick Bennett, P.E., HNTB Corporation	(Area Code) Telephone Number (608)-886-7931	
Archaeological Consultant Rhiannon Jones, Commonwealth Heritage Group	(Area Code) Telephone Number (414) 446-4121	
Architecture/History Consultant Kate Stanger, Commonwealth Heritage Group	(Area Code) Telephone Number (414) 446-4121	

II. PROJECT DESCRIPTION

Project Length 0.05 miles	Land to be Acquired: Fee Simple 0 acres	Land to be Acquired: Easement 0 acres
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Distance as measured from existing centerline	Existing	Proposed	Other Factors	Existing	Proposed
Right of Way Width	160'-775'	160-775	Terrace Width n/a	n/a	n/a
Shoulder	10' - 12'	12'	Sidewalk Width n/a	n/a	n/a
Slope Intercept	varies	varies	Number of Lanes 4 to 6	4 to 6	up to 8
Edge of Pavement	varies	varies	Grade Separated Crossing	n/a	n/a
Back of Curb Line n/a	n/a	n/a	Vision Triangle n/a acres	n/a	n/a
Realignment	n/a	n/a	Temporary Bypass n/a acres	n/a	n/a
Other – List:			Stream Channel Change	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Attach Map(s) that Depict "Maximum" Impacts.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Tree Topping and/or Grubbing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Brief Narrative Project Description: Include all ground disturbing activities. For archaeology, include plan view map indicating the maximum area of ground disturbance and/or new right of way, whichever is greater. Include all temporary, limited and permanent easements. For amendments (e.g. design refinements, scope changes, etc) description should only include new/added project actions and materials.

This amended Section 106 submittal is for the I-39/90/94 corridor study between Madison and Wisconsin Dells and specifically addresses a change in what is proposed in the vicinity of Hoepker Road and Portage Road in Dane County. The archaeological Area of Potential Effects (APE) has been enlarged at this location to accommodate the addition of a signal at the intersection. No roadway work is anticipated except adding signal equipment. All work will occur within the existing right-of-way. The APE for buildings/structures is unaffected by this change in scope (properties at this intersection were included in the original APE).

As noted in Section I, the proposed signal is associated with ID 1012-05-02. The original Section 106 submittal was for the entire corridor study, which also included IDs 1015-05-00 and 1015-05-01.

☐ Add continuation sheet, if needed.

SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION (continued)

Wisconsin Department of Transportation DT1635

III. CONSULTATION: How has notification of the project been provided to:

- | | | |
|---|--|--|
| <input type="checkbox"/> Property Owners – previously notified | <input checked="" type="checkbox"/> Historical Societies/Organizations | <input checked="" type="checkbox"/> Native American Tribes |
| <input type="checkbox"/> Public Information Meeting Notice | <input type="checkbox"/> Public Information Meeting Notice | <input type="checkbox"/> Public Info. Mtg. Notice |
| <input type="checkbox"/> Letter - Required for Archaeology | <input type="checkbox"/> Letter | <input checked="" type="checkbox"/> Letter |
| <input type="checkbox"/> Telephone Call | <input type="checkbox"/> Telephone Call | <input type="checkbox"/> Telephone Call |
| <input type="checkbox"/> Other: | <input checked="" type="checkbox"/> Email | <input checked="" type="checkbox"/> Email |

Attach one copy of the base letter, list of addresses and comments received. For history include telephone memos as appropriate.

IV. AREA OF POTENTIAL EFFECTS – APE

ARCHAEOLOGY: Area of potential effect for archaeology is the existing and proposed ROW, temporary and permanent easements. Agricultural practices do not constitute a ground disturbance exemption.

HISTORY: Describe the area of potential effects for buildings/structures. Please work with your architecture/history consultation to complete this section.

Properties adjacent to Hoepker Road and Portage Road within the project limits. The entirety of this APE was previously surveyed as part of the initial investigations for the project. There are no historic properties in this area.

V. PHASE I – ARCHAEOLOGICAL OR RECONNAISSANCE HISTORY SURVEY NEEDED

ARCHAEOLOGY	HISTORY
<input checked="" type="checkbox"/> Archaeological survey is needed	<input type="checkbox"/> Architecture/History survey is needed
<input type="checkbox"/> Archaeological survey is not needed	<input checked="" type="checkbox"/> Architecture/History survey is not needed – see Sections II and IV above, as well as the attached memo
<input type="checkbox"/> Screening list (date)	<input type="checkbox"/> Screening list (date)
<input type="checkbox"/> Non-Survey Archaeology Documentation attached	<input type="checkbox"/> Non-Survey History Documentation attached

VI. SURVEY COMPLETED

ARCHAEOLOGY	HISTORY
<input checked="" type="checkbox"/> Archaeological Survey Field Report (ASFR) attached	<input type="checkbox"/> Architecture/History Survey Report (AHSR) attached
<input type="checkbox"/> Cemetery/burial documentation attached	<input type="checkbox"/> Potentially eligible buildings/structures identified
<input type="checkbox"/> Phase I Report attached	<input type="checkbox"/> Avoided through redesign or outside the APE
<input type="checkbox"/> No Potentially eligible sites identified	<input type="checkbox"/> Determination of Eligibility (DOE) completed
<input type="checkbox"/> Potentially eligible site(s) identified	<input type="checkbox"/> Previously listed/eligible property identified
<input type="checkbox"/> Avoided through redesign or outside APE	<input type="checkbox"/> Avoided through redesign or outside the APE
<input type="checkbox"/> Phase II conducted.	

VII. FORMAL EVALUATION COMPLETED

<input type="checkbox"/> Phase II Report Attached	<input type="checkbox"/> Determination(s) of Eligibility attached
<input type="checkbox"/> No arch site(s) eligible for NRHP	<input type="checkbox"/> No buildings/structure(s) eligible for NRHP
<input type="checkbox"/> Arch site(s) eligible for NRHP	<input type="checkbox"/> Buildings/structure(s) eligible for NRHP
<input type="checkbox"/> Site(s) eligible for NRHP – DOE attached	

VIII. COMMITMENTS/SPECIAL PROVISIONS – must be included with special provisions language

☐ Per Wis. Stat. 157.70 obtain burial authorization from WHS one year prior to construction. Please include archaeology site number(s).

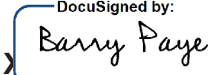
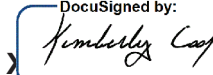
☐ Please attach continuation page if needed.

IX. PROJECT DECISION

- ☒ No historic properties (historical or archaeological) in the APE.
- ☐ No historic properties (historical or archaeological) affected.*
- ☐ Historic properties (historical and/or archaeological) may be affected by project;
- ☐ Documentation for Determination of No Adverse Effects is included with this form. WisDOT has concluded that this project will have No Adverse Effect on historic properties. Signature by SHPO below indicates SHPO concurrence in the DNAE and concludes the Section 106 Review process for this project.*
- ☐ Go to Step 4: Assess affects

* Per 23 CFR 774, WisDOT, on behalf of FHWA, hereby informs SHPO that concurrence with 'No historic properties affected' or 'No Adverse Effect on historic properties' may be used in considering whether a de minimis Section 4(f) finding or a temporary occupancy exception is appropriate. SHPO signature on this form serves as acknowledgement of this official notification.

X. SIGNATURES

 X Jennifer Kobryn (WisDOT Regional Signature) Digitally signed by Jennifer Kobryn DN: C=US, E=jennifer.kobryn@dot.wi.gov, O=Wisconsin Department of Transportation, OU=Wisconsin Department of Transportation, Date: 2024.08.19 14:40:10-0500 (Date – m/d/yy)	 Barry Paye August 19, 2024 3F13953827A84D7... (WisDOT Historic Preservation Officer Signature) (Date – m/d/yy)	 Kimberly Cast August 29, 2024 2F3FB9178D084A4... (State Preservation Officer Signature) (Date – m/d/yy)
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