

CONTENTS

4. Section 4(f) and Section 6(f) Evaluation	4-1
4.1. Introduction to Section 4(f)	4-1
4.2. Introduction to Section 6(f)	4-1
4.3. Descriptions of Section 4(f) and Section 6(f) Properties.....	4-2
4.3.1. Archaeological Sites.....	4-2
4.3.2. Historic Sites, Parks, Recreational Areas and Wildlife and Waterfowl Refuges.....	4-2
4.4. Proposed Action Relative to Section 4(f) and 6(f) Properties.....	4-59
4.4.1. Historic Sites, Parks, Recreational Areas, and Wildlife and Waterfowl Refuges.....	4-60
4.5. Coordination	4-71
4.6. Conclusion.....	4-72

TABLES

Table 4-1: Summary of Impacts to Section 4(f) Properties and Determinations	4-73
Table 4-2: Special Funding Sources used at Section 4(f) Properties Temporarily or Permanently Impacted by the Project.....	4-74

FIGURES

Figure 4-1: Yahara Hills Park (West) Location Map	4-3
Figure 4-2: Glacial Drumlin State Trail Location Map.....	4-4
Figure 4-3: Droster Park Location Map	4-5
Figure 4-4: Founder Shrine Location Map.....	4-6
Figure 4-5: Photo of Founder Shrine.....	4-7
Figure 4-6: Heritage Prairie Park	4-8
Figure 4-7: Honeysuckle Park.....	4-9
Figure 4-8: Hiestand Woods Conservation Park and Hiestand Park Location Map	4-11
Figure 4-9: Starkweather Park Location Map.....	4-12
Figure 4-10: Galaxy Park Location Map.....	4-13
Figure 4-11: Town Center Park.....	4-14
Figure 4-12: Door Creek Park	4-15
Figure 4-13: Seminary Springs School Location Map.....	4-16
Figure 4-14: Seminary Springs School Photo	4-17
Figure 4-15: McCarthy Youth and Conservation County Park Location Map.....	4-18
Figure 4-16: McCarthy Youth and Conservation Park Map.....	4-19
Figure 4-17: Glacier Hill Park.....	4-20

Figure 4-18: Sandburg Park	4-21
Figure 4-19: Churchill Heights Park	4-22
Figure 4-20: Northeast Park	4-23
Figure 4-21: Adam and Mary Smith House Location Map	4-24
Figure 4-22: Photo of Adam and Mary Smith House	4-25
Figure 4-23: Messerschmidt House Location Map	4-26
Figure 4-24: Photo of Messerschmidt House	4-27
Figure 4-25: Token Creek County Park Location Map	4-28
Figure 4-26: Token Creek County Park Map	4-29
Figure 4-27: Cherokee Marsh Fishery Area	4-30
Figure 4-28: Cherokee Marsh Conservation Park	4-31
Figure 4-29: DeForest Athletic Complex Location Map	4-32
Figure 4-30: DeForest Athletic Complex Site Map	4-33
Figure 4-31: Yahara River Conservancy Place Location Map	4-34
Figure 4-32: Michel Johnson Engesether House Location Map	4-35
Figure 4-33: Photo of Michel Johnson Engesether House	4-36
Figure 4-34: Rowan Creek Fishery Area Location Map	4-37
Figure 4-35: Rowan Creek Fishery Area Map	4-38
Figure 4-36: William Black Farmstead Location Map	4-39
Figure 4-37: William Black Farmstead Photo	4-40
Figure 4-38: Dekorra Public Hunting Grounds Wildlife Area Location Map	4-41
Figure 4-39: Dekorra Public Hunting Grounds Map	4-42
Figure 4-40: Baraboo River Waterfowl Production Area and Floodplain Forest State Natural Area	4-44
Figure 4-41: WIS 33 Rustic Wayside Photo of Picnic Shelter	4-45
Figure 4-42: WIS 33 Rustic Wayside	4-46
Figure 4-43: Pine Island State Wildlife Area	4-48
Figure 4-44: Pine Island State Wildlife Area Land Management Classifications	4-48
Figure 4-45: Ice Age National Scenic Trail Location Map	4-50
Figure 4-46: Aldo Leopold Property Location Map	4-51
Figure 4-47: Mirror Lake State Park Location Map	4-52
Figure 4-48: Mirror Lake State Park Land Use Classification and Management Units Map	4-53
Figure 4-49: Mirror Lake State Park Summer Trail Map	4-53
Figure 4-50: Ishnala Trail at Mirror Lake State Park	4-54
Figure 4-51: Hulburt Creek Fishery Area Location Map	4-55
Figure 4-52: Hulburt Creek Fishery Area Details	4-56
Figure 4-53: Rocky Arbor State Park Location Map	4-57
Figure 4-54: Rocky Arbor State Park Map	4-58
Figure 4-55: Impacts to Glacial Drumlin State Trail	4-61
Figure 4-56: Impact to Baraboo River Properties	4-62

Figure 4-57: Impacts to Pine Island State Wildlife Area Overview Map4-64

Figure 4-58: Impacts to Pine Island State Wildlife Area Detail Maps.....4-65

Figure 4-59: Impacts to Mirror Lake State Park4-67

Figure 4-60: Split Diamond Interchange Alternative Impacts to Hulburt Creek Fishery Area4-68

Figure 4-61: Trumpet Interchange Alternative Impacts to Hulburt Creek Fishery Area4-69

Figure 4-62: Impacts to Rocky Arbor State Park4-71

4. Section 4(f) and Section 6(f) Evaluation

4.1. Introduction to Section 4(f)

The U.S. Department of Transportation's (US DOT) Section 4(f) law protects significant publicly owned park, recreation area, wildlife or waterfowl refuge or any historic site on or eligible for the National Register of Historic Places, known as Section 4(f) properties, during development of transportation projects. Section 4(f) of the Department of Transportation Act of 1966 was set forth in U.S. Code (U.S.C.) 303 and 23 U.S.C 138. A similar provision was added to 23 U.S.C. Section 138, which applies only to the Federal Highway Administration's (FHWA) Federal-Aid Highway Program and states that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges and historic sites. These laws are still commonly referred to as "Section 4(f)" and are implemented by FHWA regulations in the Code of Federal Regulations (CFR) 23 CFR 774 – Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites (Section 4(f)).

Per 23 CFR 774.3, use of land from a significant publicly owned park, recreation area, wildlife or waterfowl refuge or any historic site on or eligible for the National Register of Historic Places, may not be approved unless it is determined that there is no feasible and prudent avoidance alternative to the use of land from such properties and the action includes all possible planning to minimize harm to the property resulting from such use or the use is *de minimis*. A use is determined to be *de minimis* when, after taking into account any measures to minimize harm such as avoidance, minimization, mitigation or enhancement measures, the impact does not adversely affect the attributes that qualify the property for protection under Section 4(f) (23 CFR 774.3(b)). An exception to use of a Section 4(f) property is a temporary occupancy that is so minimal it does not constitute a use within the meaning of Section 4(f) (23 CFR 774.17). All of the conditions under 23 CFR 774.13(d) must be satisfied:

- o Duration is temporary, and there is no change in ownership of the land.
- o Scope of work is minor and nature/magnitude of changes to Section 4(f) property is minimal.
- o There will be no anticipated permanent adverse physical impacts or interference with the protected activities, features, or attributes of the property either temporarily or permanently.
- o The land being used will be fully restored and returned to a condition that is at least as good as that which existed prior to the project.
- o There is documented agreement on the above conditions with officials having jurisdiction over the Section 4(f) property.

Section 4(f) applies only to the actions of agencies within the US DOT, including FHWA. While other agencies may have an interest in Section 4(f), FHWA is responsible for Section 4(f) applicability determinations, evaluations, findings and overall compliance for highway projects. FHWA's Section 4(f) determinations for this project are included in this section.

4.2. Introduction to Section 6(f)

The Land and Water Conservation Fund (LWCF) is a federal program that provides grants to state and local governments to acquire parkland. Section 6(f)(3) of the LWCF Act seeks to ensure that LWCF-assisted parks are maintained in public outdoor recreation use. Section 6(f) of the Act requires that any proposed conversion of lands or facilities that used LWCF Act funds be coordinated with the National Park Service (NPS). All practical alternatives to the proposed conversion must be evaluated and, if no

practicable alternative exists, a reasonably equivalent property must be provided to replace the converted property.

4.3. Descriptions of Section 4(f) and Section 6(f) Properties

This section describes the properties evaluated for Section 4(f) applicability in the study corridor. For publicly owned parks, recreational areas and wildlife and waterfowl refuges, the study area is approximately 1,000 feet from existing I-39/90/94 and interchange right of way boundary. For above-ground historic properties (buildings and structures), the study area is the historic properties Area of Potential Effects (APE) which, for this project, was defined as properties within one-quarter mile of I-39/90/94 between existing interchanges and grade separations, and properties within one-half mile of existing interchanges and grade separations. The APE for archaeological sites is the limits of the existing and proposed right of way, temporary and permanent easements, equipment staging areas and other land that would be disturbed by the proposed alternatives. The APEs encompass the geographic area where there may be direct (physical, visual, auditory, or atmospheric) impacts or indirect (secondary, future, or cumulative) impacts.

4.3.1. Archaeological Sites

The archaeological survey found one site listed in the NRHP and one site WisDOT recommended as eligible for listing in the NRHP and warrants preservation in place. The build alternatives avoid both sites. Because archaeological sites will be avoided, they are not discussed further in this document.

4.3.2. Historic Sites, Parks, Recreational Areas and Wildlife and Waterfowl Refuges

Yahara Hills Park (West)

Yahara Hills Park (West), located southeast of the US 12/18 Interchange, is an approximately 42-acre park owned and operated by the city of Madison, see Figure 4-1.¹ It shares a property line with the Interstate right of way and consists of trees and shrubs with one trail.²

Section 4(f) applies to Yahara Hills Park (West) because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public.³ This park will be avoided. As such, it is not discussed further in this document.

¹ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1390>. Accessed Sept. 20, 2022.

² City of Madison Parks Division. 2018-2023 Park and Open Space Plan. Oct. 30, 2018.

³ The Yahara Hills Park (West) was also identified in the draft I-39/90 and US 12/18 (Beltline) Interchange Environmental Assessment (EA), Project ID 1007-10-02, signed Nov. 13, 2018, as having Section 4(f) protections.

Figure 4-1: Yahara Hills Park (West) Location Map

Source: City of Madison Parks Division

Glacial Drumlin State Trail

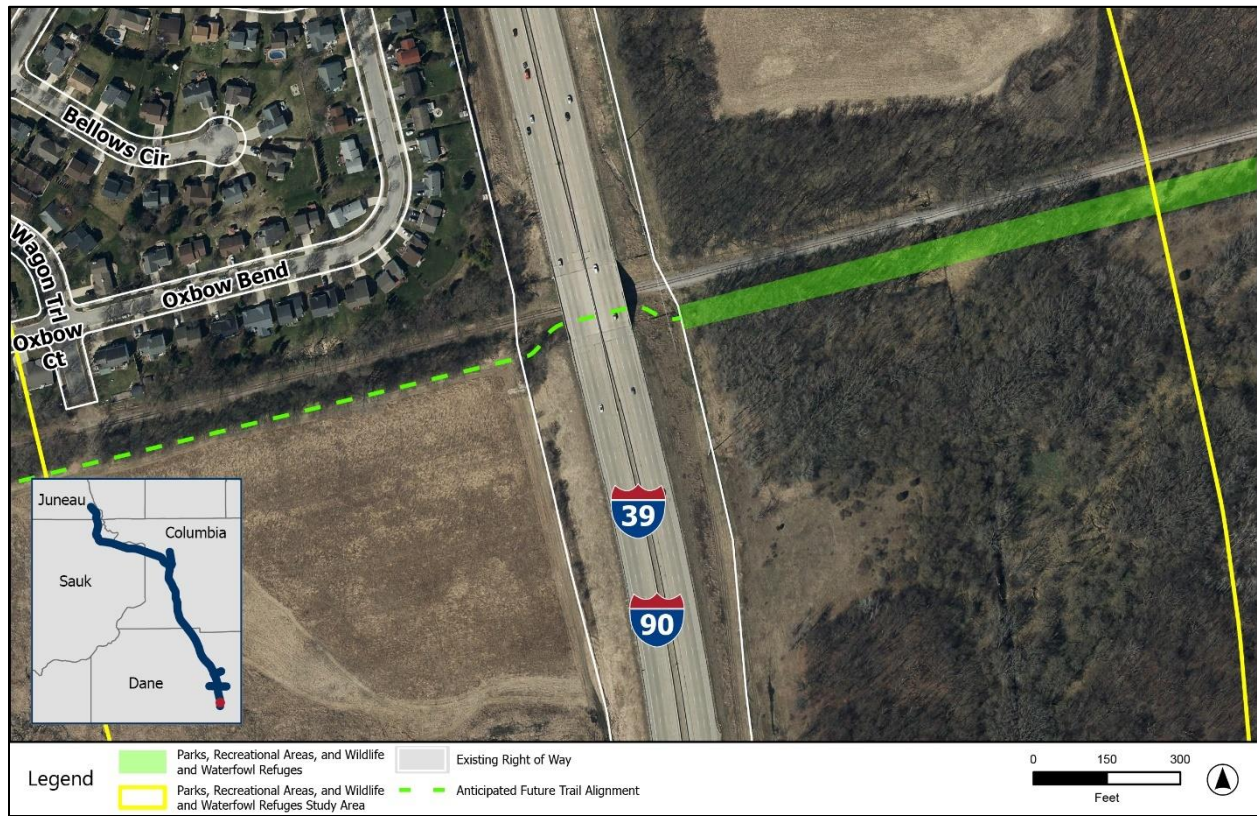
The Wisconsin Department of Natural Resources (WDNR) owns a parcel, located east of I-39/90 along the south side of the WSOR tracks in the city of Madison, see Figure 4-2. The parcel shares a property line with the Interstate right of way.

The parcel is designated for future use as the Glacial Drumlin State Trail as part of WDNR's effort to extend the trail from its current trail head in Cottage Grove to the city of Madison's Capital City Trail. WDNR anticipates construction of the trail extension along the south side of the WSOR tracks and under the Interstate to begin in 2025.⁴ The Glacial Drumlin State Trail offers recreational activities along or near the trail, including hunting, walking, bicycling, in-line skating, snowmobiling and camping.⁵

Section 4(f) applies to the Glacial Drumlin State Trail because WDNR, the official with jurisdiction, considers it a recreational property, it is presumed significant by WDNR by its identification as a state trail, it is publicly owned and it is open to the public. The proposed improvements would impact this trail. These impacts are described in Section 4.4.

⁴ Meeting with Bridget Brown of Wisconsin Department of Natural Resources. Feb. 22, 2023.

⁵ Wisconsin Department of Natural Resources. Parks. Glacial Drumlin State Trail. <https://dnr.wisconsin.gov/topic/parks/glacialdrumlin>. Accessed Sept. 20, 2022.

Figure 4-2: Glacial Drumlin State Trail Location Map

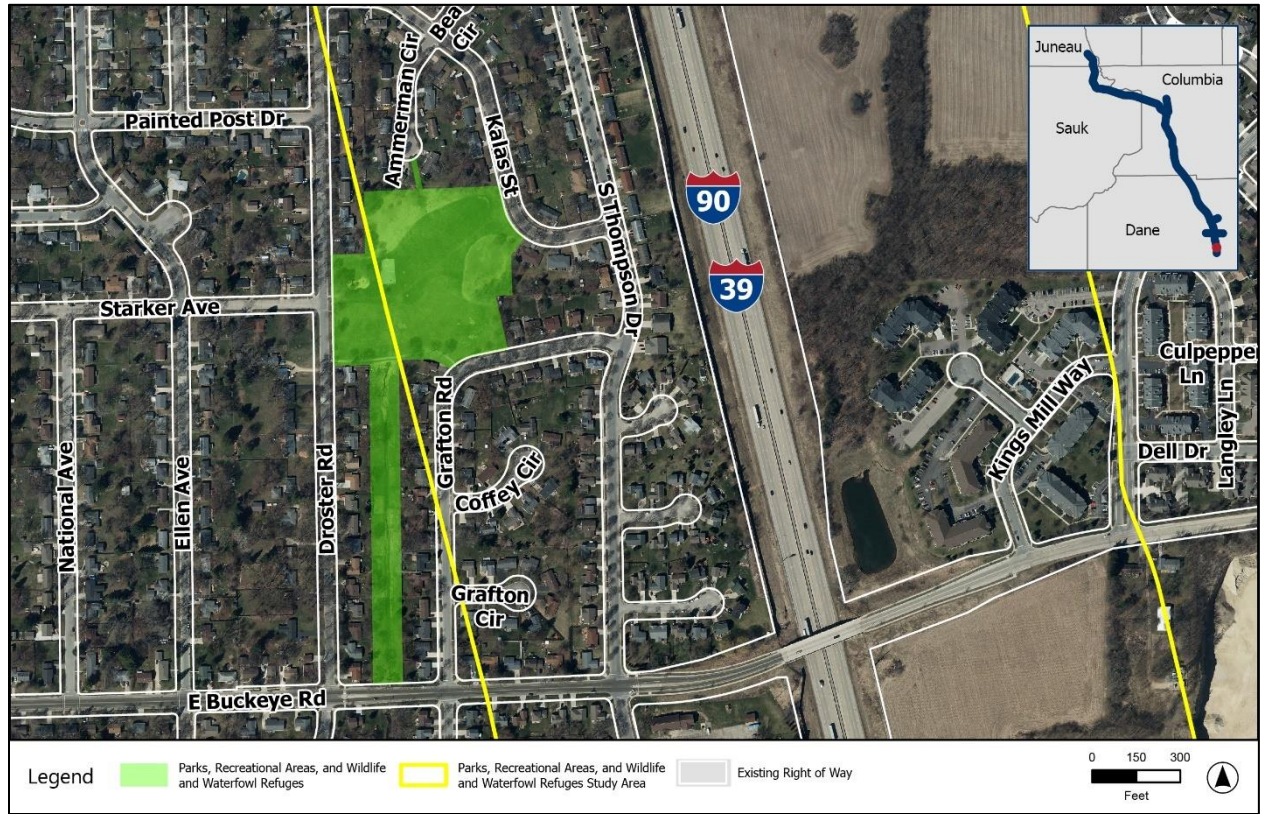
Source: City of Madison Parks Division

Droster Park

Droster Park, located approximately 460 feet west of I-39/90, halfway between the I-94/WIS 30 Interchange and US 12/18 Interchange, is a 10-acre park owned and operated by the city of Madison, see Figure 4-3. The park's facilities include a basketball court, an open field and a playground.⁶

Section 4(f) applies to Droster Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

⁶ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1155>. Accessed Sept. 20, 2022.

Figure 4-3: Droster Park Location Map

Source: City of Madison Parks Division

Founder Shrine

The Founder Shrine, located approximately 850 feet east of I-39/90 at 5901 Cottage Grove Road in the city of Madison, is a one-story, Gothic style chapel that was constructed in 1952, see Figure 4-4 and Figure 4-5.

WisDOT recommended the Founder Shrine as potentially eligible for listing in the NRHP under Criterion A: History as the first replica Schoenstatt Shrine constructed in the United States deeming it a place of origin for the American Schoenstatt Movement. WisDOT also recommended it potentially eligible for listing in the NRHP under Criterion C: Architecture as an early, well-preserved example of the Schoenstatt Shrine type. Additionally, it is representative of the influence of other regions and nationalities on architectural design in the United States and the continuous transmittal of ideas from one place to another and from the past to modern day. The State Historic Preservation Officer (SHPO) concurred with WisDOT's recommendation that it is eligible for listing in the NRHP under Criterion A on June 9, 2023.

Section 4(f) applies to the Founder Shrine because it is eligible for listing in the NRHP.⁷ This historic property will be avoided. As such, it is not discussed further in this document.

Figure 4-4: Founder Shrine Location Map



Source: Wisconsin Historical Society

⁷ Wisconsin Historical Society. 5901 Cottage Grove Road. <https://www.wisconsinhistory.org/Records/Property/HI4824>. Accessed May 2023.

Figure 4-5: Photo of Founder Shrine



Source: Wisconsin Historical Society website. <https://www.wisconsinhistory.org/Records/Property/HI4824>

Heritage Prairie Park

Heritage Prairie Park, located on the west side of I-39/90, north of Cottage Grove Road, is a 4.3-acre park owned and operated by the city of Madison, see Figure 4-6. It shares a property line with the Interstate right of way and features bur oak trees and dry prairie, with hiking and snowshoeing trails.⁸

Section 4(f) applies to Heritage Prairie Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-6: Heritage Prairie Park



Source: City of Madison Parks Division

⁸ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1200>. Accessed Sept. 20, 2022.

Honeysuckle Park

Honeysuckle Park, located approximately 800 feet southwest of the I-94/WIS 30 Interchange, is a 3.8-acre park owned and operated by the city of Madison, see Figure 4-7. It features a basketball court, open field and playground.⁹

Section 4(f) applies to Honeysuckle Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-7: Honeysuckle Park



Source: City of Madison Parks Division

⁹ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1224>. Accessed Sept. 20, 2022.

Hiestand Woods Conservation Park

Hiestand Woods Conservation Park, located south of WIS 30 and west of I-39/90/94, is an approximately 12-acre park owned and operated by the city of Madison, see Figure 4-8. It shares a property line with the WIS 30 right of way and features hiking trails.¹⁰

Section 4(f) applies to Hiestand Woods Conservation Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Hiestand Park

Hiestand Park, located approximately 350 feet south of WIS 30 and west of I-39/90/94, is an approximately 46-acre park owned and operated by the city of Madison, see Figure 4-8. It shares a property line with Hiestand Woods Conservation Park and has a disc golf course, athletic field, picnic shelter and bike path.¹¹

Section 4(f) applies to Hiestand Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

¹⁰ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1208>. Accessed June 22, 2023.

¹¹ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1207>. Accessed June 22, 2023.

Figure 4-8: Hiestand Woods Conservation Park and Hiestand Park Location Map

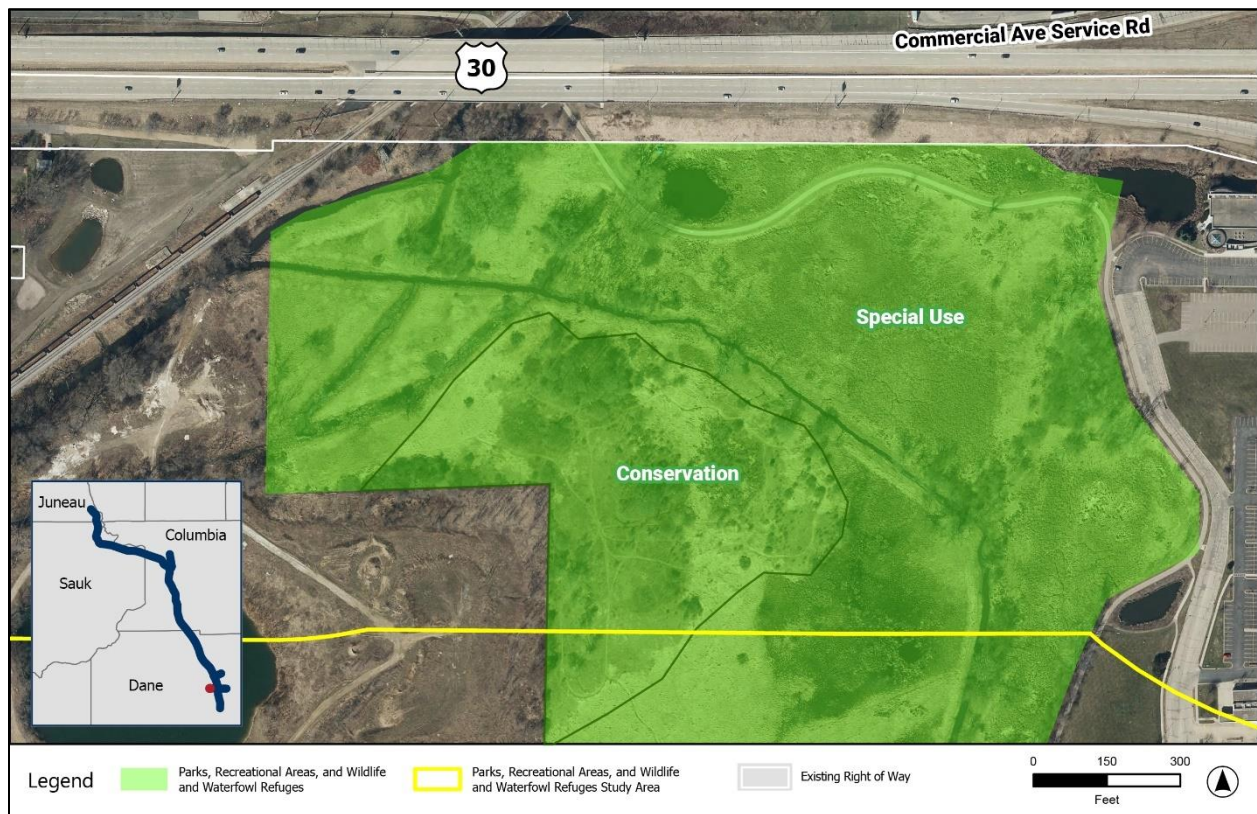


Starkweather Park

Starkweather Park, located south of WIS 30, west of US 51/Stoughton Road, is an approximately 50-acre park owned and operated by the city of Madison, see Figure 4-9. Part of the park is classified as Conservation, which is land set aside to preserve sensitive and/or high-quality natural resources, and the other part of the park is designated Special Use, which is land set aside for recreational purposes.^{12,13} The park has no facilities except for a bicycle/pedestrian path that connects the residential neighborhood north of WIS 30 to the industrial businesses south of the park.

Section 4(f) applies to Starkweather Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-9: Starkweather Park Location Map



Source: City of Madison Parks Division

¹² City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/images/map/ParksMap.pdf>. Accessed Aug. 18, 2023.

¹³ City of Madison. City of Madison Park Division. 2018-2023 Park and Open Space Plan. Oct. 30, 2018.

Galaxy Park

Galaxy Park, located approximately 650 feet southeast of the I-94/WIS 30 Interchange, is an approximately 3.5-acre park owned and operated by the city of Madison, see Figure 4-10. The *Galaxy Park Master Plan*, approved in June 2018, describes plans for a playground, sun shelter, paved path, open area for recreation, natural areas and a privacy screening/sledding hill.¹⁴ The sun shelter and playground have since been constructed at the park.¹⁵

Section 4(f) applies to Galaxy Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-10: Galaxy Park Location Map



Source: City of Madison Parks Division

¹⁴ City of Madison Parks Division. *Galaxy Park Master Plan*. June 13, 2018.

<https://www.cityofmadison.com/parks/documents/Galaxy%20Park%20Master%20Plan%20Report.pdf>. Accessed July 6, 2023.

¹⁵ City of Madison Parks Division. *Find a Park*. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1407>. Accessed Sept. 20, 2022.

Town Center Park

Town Center Park, located approximately 500 feet southeast of the I-94/WIS 30 Interchange, is a 2.5-acre park owned and operated by the city of Madison, see Figure 4-11. It has no facilities.¹⁶

Section 4(f) applies to Town Center Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-11: Town Center Park



Source: City of Madison Parks Division

¹⁶ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1360>. Accessed Sept. 20, 2022.

Door Creek Park

Door Creek Park, located approximately 850 feet south of I-94, is an approximately 160-acre park owned and operated by the city of Madison, see Figure 4-12. It features a basketball court, cross-county skiing trails, hiking trails, a playground and a tennis court.¹⁷

Section 4(f) applies to Door Creek Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-12: Door Creek Park



Source: City of Madison Parks Division

¹⁷ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1154>. Accessed Sept. 20, 2022.

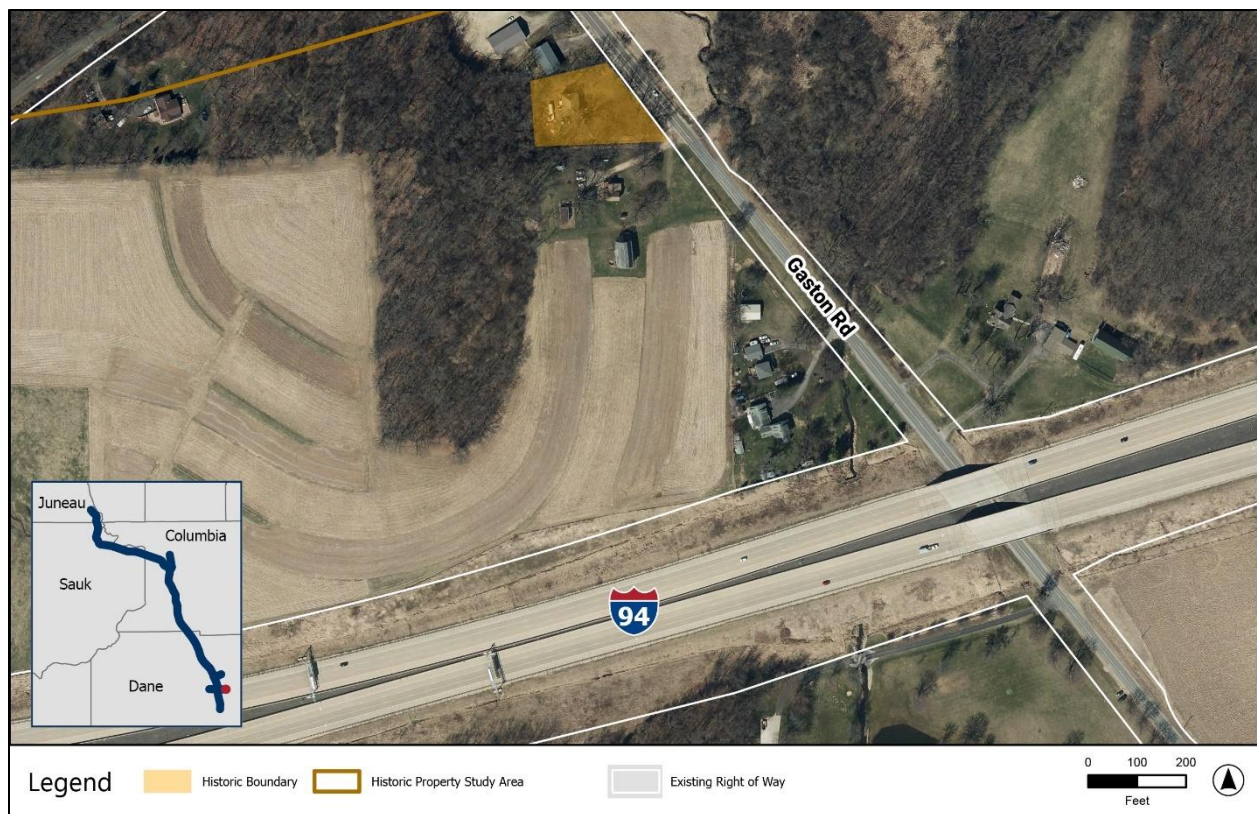
Seminary Springs School

Seminary Springs School, located approximately 900 feet north of I-94 at 3153 Gaston Road in the town of Burke, is a former one-room schoolhouse that was constructed in 1927, see Figure 4-13 and Figure 4-14.

WisDOT recommended Seminary Springs School as potentially eligible for listing in the NRHP under Criterion A: History as part of the early consolidation of rural schools in Dane County and the further consolidation of schools in the late twentieth century. The school building is also potentially eligible for listing in the NRHP under Criterion C: Architecture as a late, but well-preserved example of early twentieth century one-room schoolhouses. SHPO concurred with WisDOT's recommendation on June 13, 2023.

Section 4(f) applies to the Seminary Springs School because it is eligible for listing in the NRHP.¹⁸ This historic property will be avoided. As such, it is not discussed further in this document.

Figure 4-13: Seminary Springs School Location Map



Source: Wisconsin Historical Society

¹⁸ Wisconsin Historical Society. 3153 Gaston Road. <https://www.wisconsinhistory.org/Records/Property/HI4958>. Accessed May 2023.

Figure 4-14: Seminary Springs School Photo



Source: Wisconsin Historical Society

McCarthy Youth and Conservation County Park

McCarthy Youth and Conservation County Park, located approximately 200 feet north of I-94 in the village of Cottage Grove, is an approximately 285-acre park owned and operated by Dane County Parks, see Figure 4-15. The park has toilets, a kiosk, group camp, equestrian group camp and trails, see Figure 4-16.¹⁹

Section 4(f) applies to McCarthy Youth and Conservation County Park because Dane County Parks, the official with jurisdiction, considers it a park, it is presumed significant by Dane County Parks by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-15: McCarthy Youth and Conservation County Park Location Map



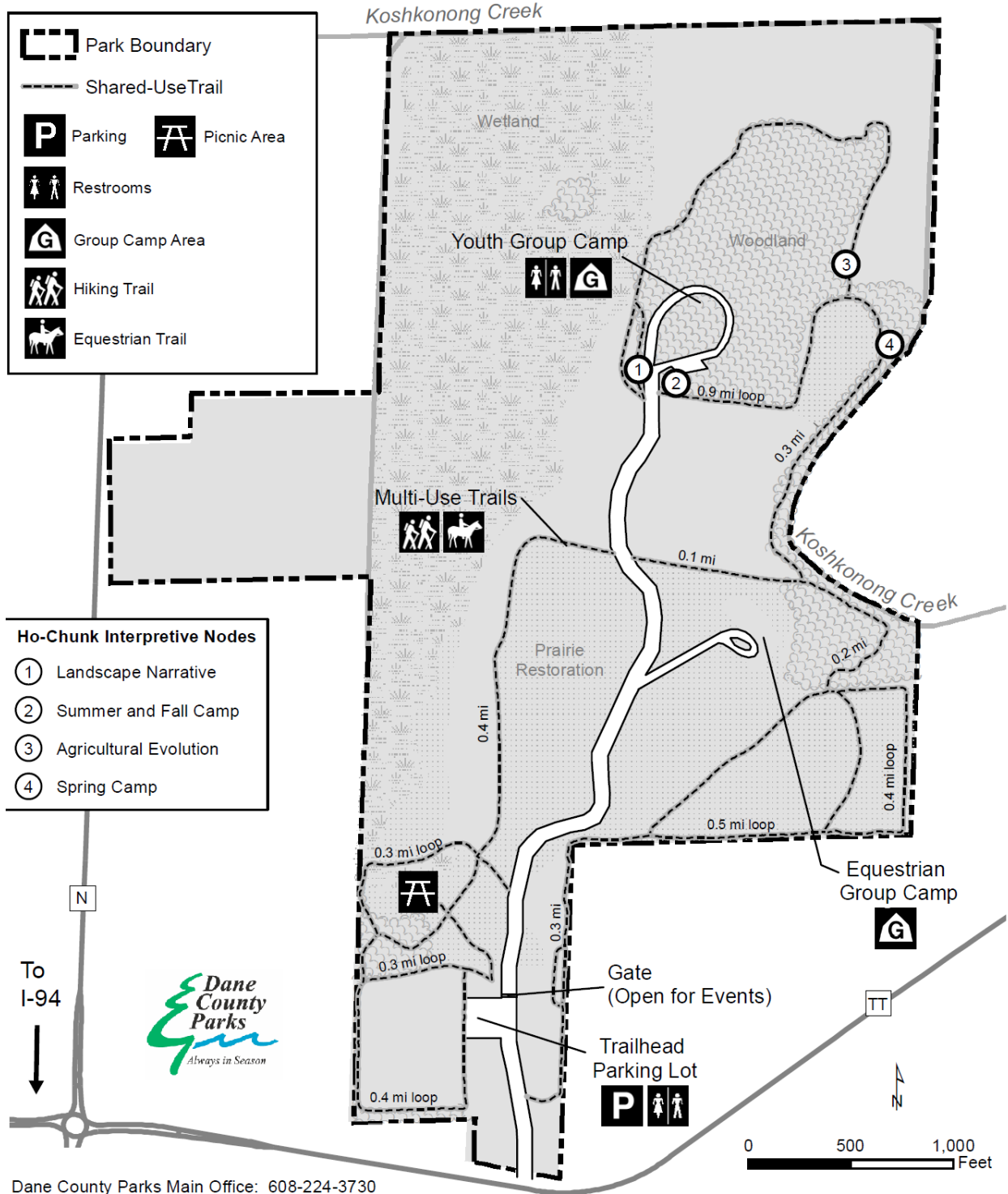
Source: Dane County Parks

¹⁹ Dane County Parks. McCarthy Youth & Conservation County Park. <https://parks-lwr.dane-county.gov/park/McCarthyYouthConservation>. Accessed Sept. 20, 2022.

Figure 4-16: McCarthy Youth and Conservation Park Map

McCARTHY YOUTH & CONSERVATION PARK

4841 County Highway TT
Cottage Grove, WI 53527



Dane County Parks Main Office: 608-224-3730
Parks Website: www.danecountyparks.com

Source: Dane County Parks.

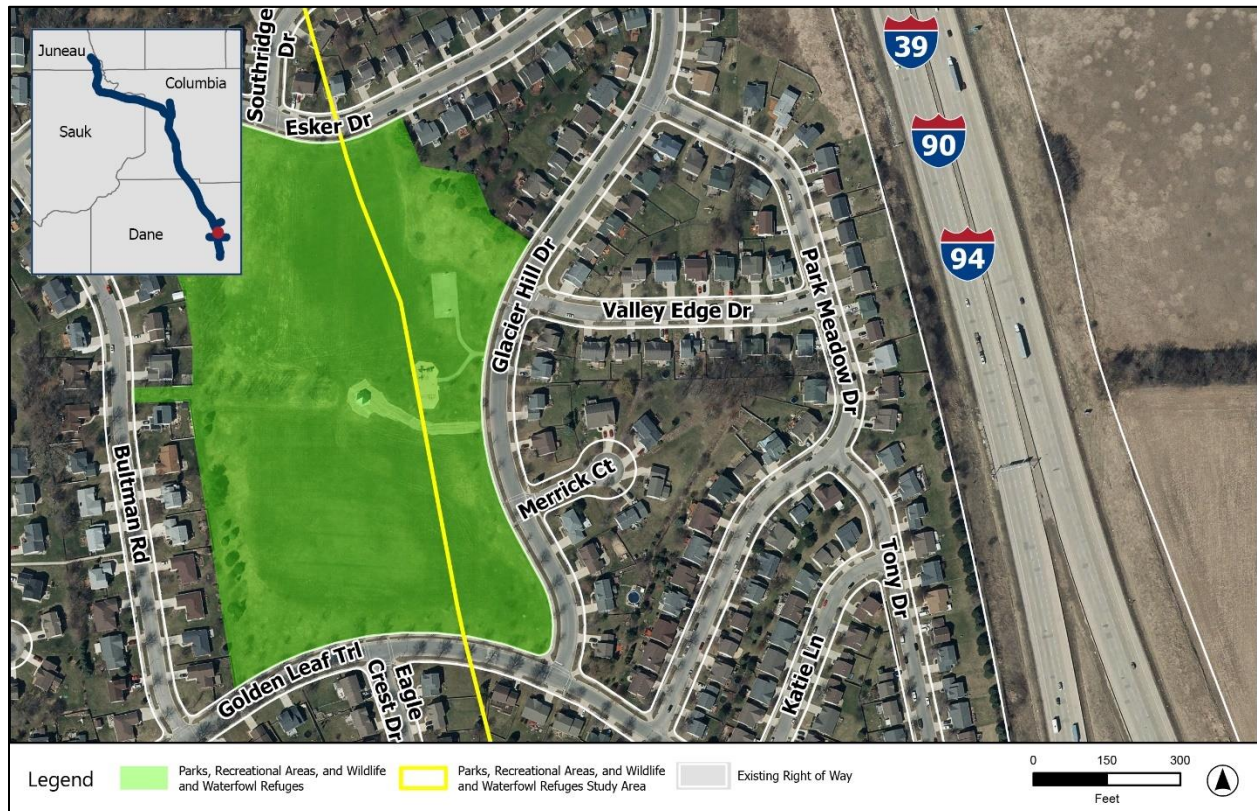
5-2022

Glacier Hill Park

Glacier Hill Park, located approximately 730 feet west of I-39/90/94, is a 15.5-acre park owned and operated by the city of Madison, see Figure 4-17. This park features a basketball court, picnic shelter, playground and soccer field.²⁰

Section 4(f) applies to Glacier Hill Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-17: Glacier Hill Park



Source: City of Madison Parks Division

²⁰ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1179>. Accessed Sept. 20, 2022.

Sandburg Park

Sandburg Park, located approximately 800 feet from the Interstate, is an approximately 15-acre park owned and operated by the city of Madison, see Figure 4-18. The park has a basketball court, playground equipment, trails and open space.²¹ It straddles Sandburg Woods Conservation Park, which is also owned and operated by the city of Madison and offers recreational amenities.

Section 4(f) applies to Sandburg Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-18: Sandburg Park



Source: City of Madison Parks Division

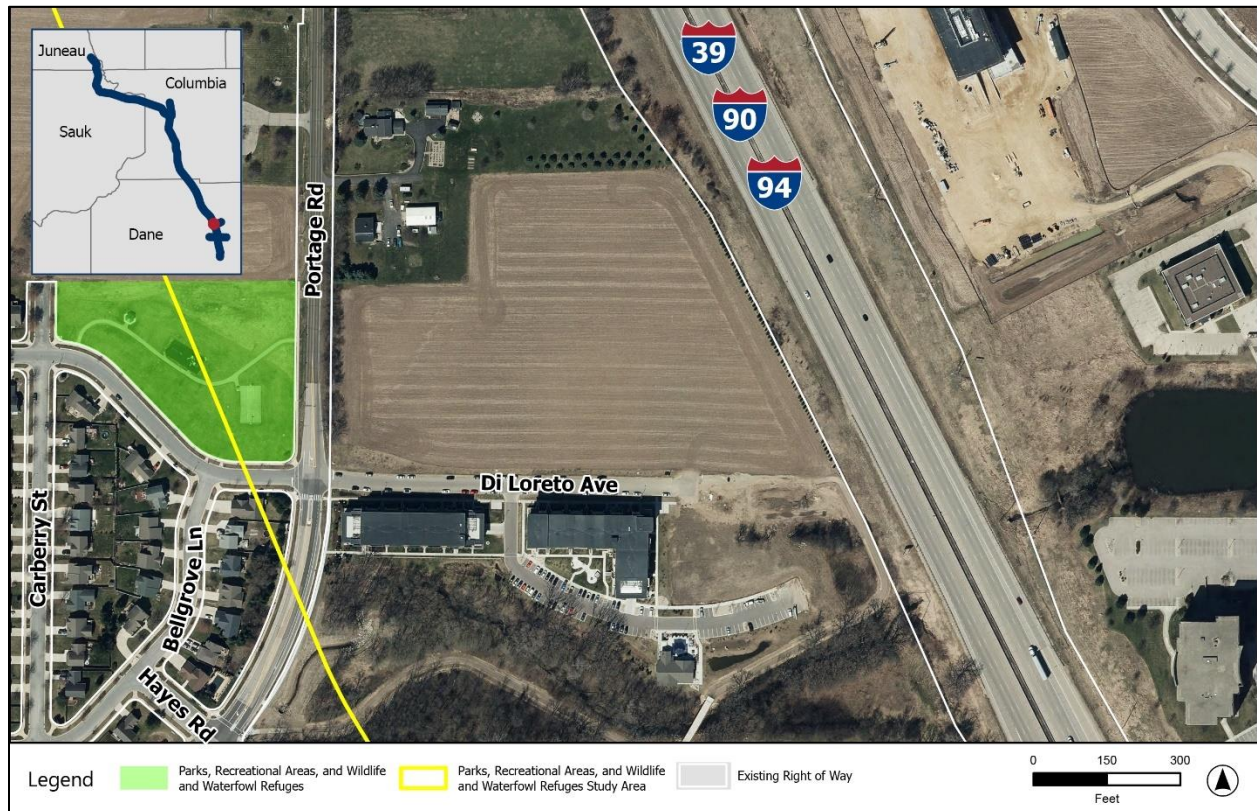
²¹ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1338>. Accessed June 23, 2023.

Churchill Heights Park

Churchill Heights Park, located approximately 800 feet west of I-39/90/94, is a 3-acre park owned and operated by the city of Madison, see Figure 4-19. It has a basketball court, playground and picnic shelter.²²

Section 4(f) applies to Churchill Heights Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-19: Churchill Heights Park



Source: City of Madison Parks Division

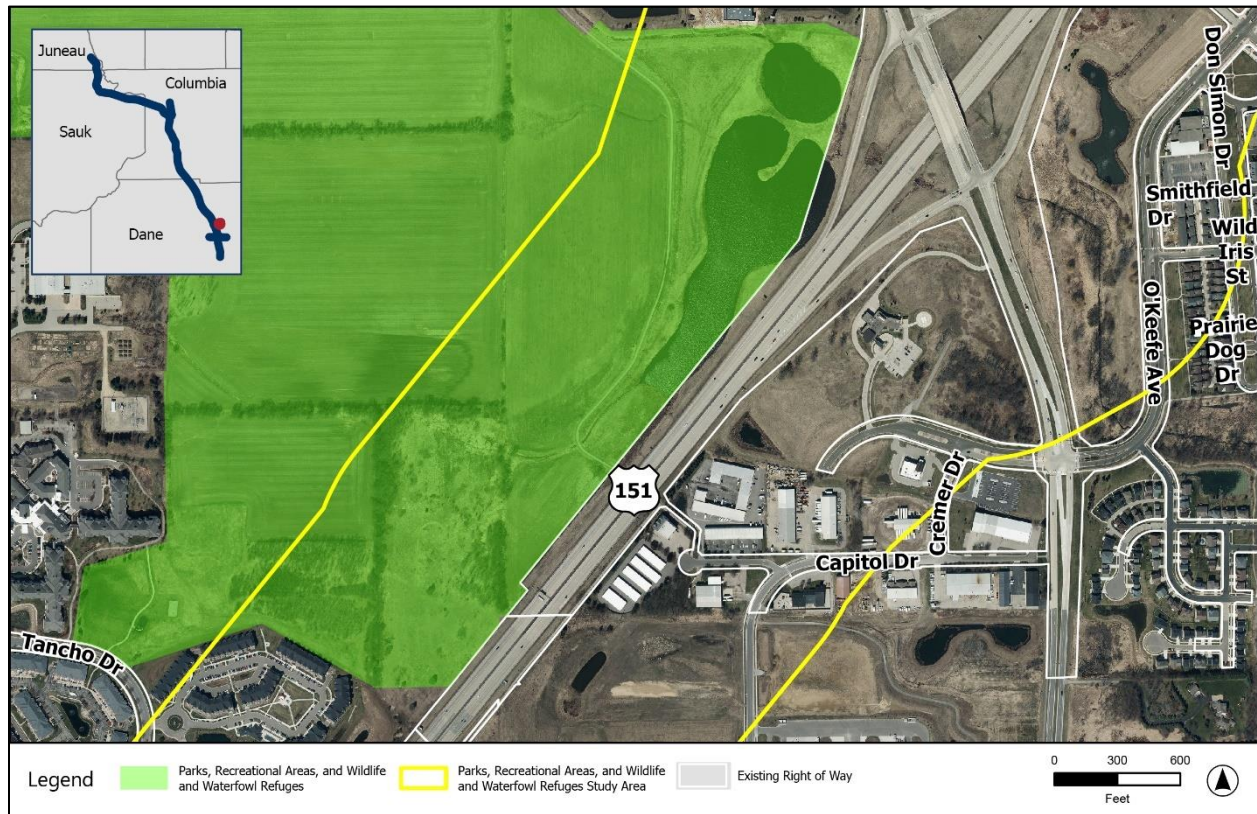
²² City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1186>. Accessed June 23, 2023.

Northeast Park

Northeast Park, located north of US 151, is a more than 250-acre park owned and operated by the city of Madison, see Figure 4-20. It shares a property line with the US 151 right of way. The park is mostly undeveloped farmland but also features a cyclocross practice area, playground, basketball court and walking path.²³

Section 4(f) applies to Northeast Park because the city of Madison, the official with jurisdiction, considers it a park, it is presumed significant by the city of Madison by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-20: Northeast Park



Source: City of Madison Parks Division

²³ City of Madison Parks Division. Find a Park. <https://www.cityofmadison.com/parks/find-a-park/park.cfm?id=1261>. Accessed Sept. 20, 2023.

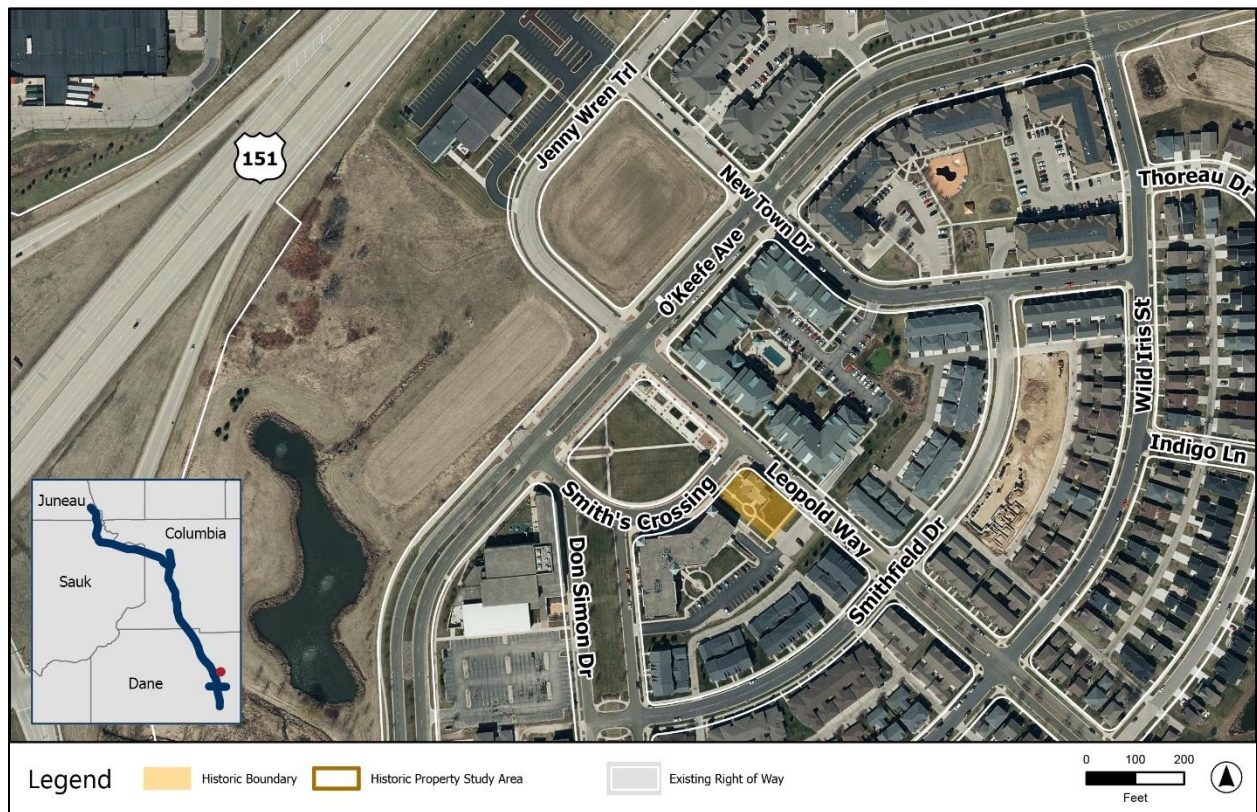
Adam and Mary Smith House

The Adam and Mary Smith House, located approximately 1,000 feet southeast of US 151 in the city of Sun Prairie, is an Italianate style house that is listed on the NRHP, see Figure 4-21 and Figure 4-22.²⁴ It was constructed around 1872 and was moved to its current location in 2003. The house retains the majority of its original high-style architectural features.

The Adam and Mary Smith House is a NRHP-listed property under Criterion C: Architecture as a local example of Italianate style house. It is one of a few Italianate style residences in the area that retains integrity of design and material.

Section 4(f) applies to the Adam and Mary Smith House because it is listed in the NRHP. This historic property will be avoided. As such, it is not discussed further in this document.

Figure 4-21: Adam and Mary Smith House Location Map



Source: Wisconsin Historical Society

²⁴ Wisconsin Historical Society. South corner of Smith's Crossing and Leopold Way. <https://www.wisconsinhistory.org/Records/NationalRegister/NR2112>. Accessed May 2023.

Figure 4-22: Photo of Adam and Mary Smith House



Source: Wisconsin Historical Society

Messerschmidt House

The Messerschmidt House, located approximately 700 feet west of I-39/90/94 in the city of Madison, is a Tudor Revival style house that was determined eligible for listing on the NRHP in 1997, see Figure 4-23 and Figure 4-24.²⁵

The house was constructed around 1930 and was found to have significance for “its distinctive building materials and construction method” and as a “significant example of a vernacular form with Tudor Revival stylistic details”. As a result of an airport expansion project, the house was moved to its current location around 2000. Since the property was determined eligible for listing in the NRHP for its architectural value and retains its character-defining architectural features at its new location, it is assumed to still be eligible for listing in the NRHP, but has not been formally reevaluated, see also Section 3.20.

Section 4(f) applies to the Messerschmidt House because it is eligible for listing in the NRHP. This historic property will be avoided. As such, it is not discussed further in this document.

Figure 4-23: Messerschmidt House Location Map



Source: Wisconsin Historical Society

²⁵ Wisconsin Historical Society. 5723 US Highway 51 (Moved to 5487 Portage Rd). <https://www.wisconsinhistory.org/Records/Property/HI4952>. Accessed 2023.

Figure 4-24: Photo of Messerschmidt House



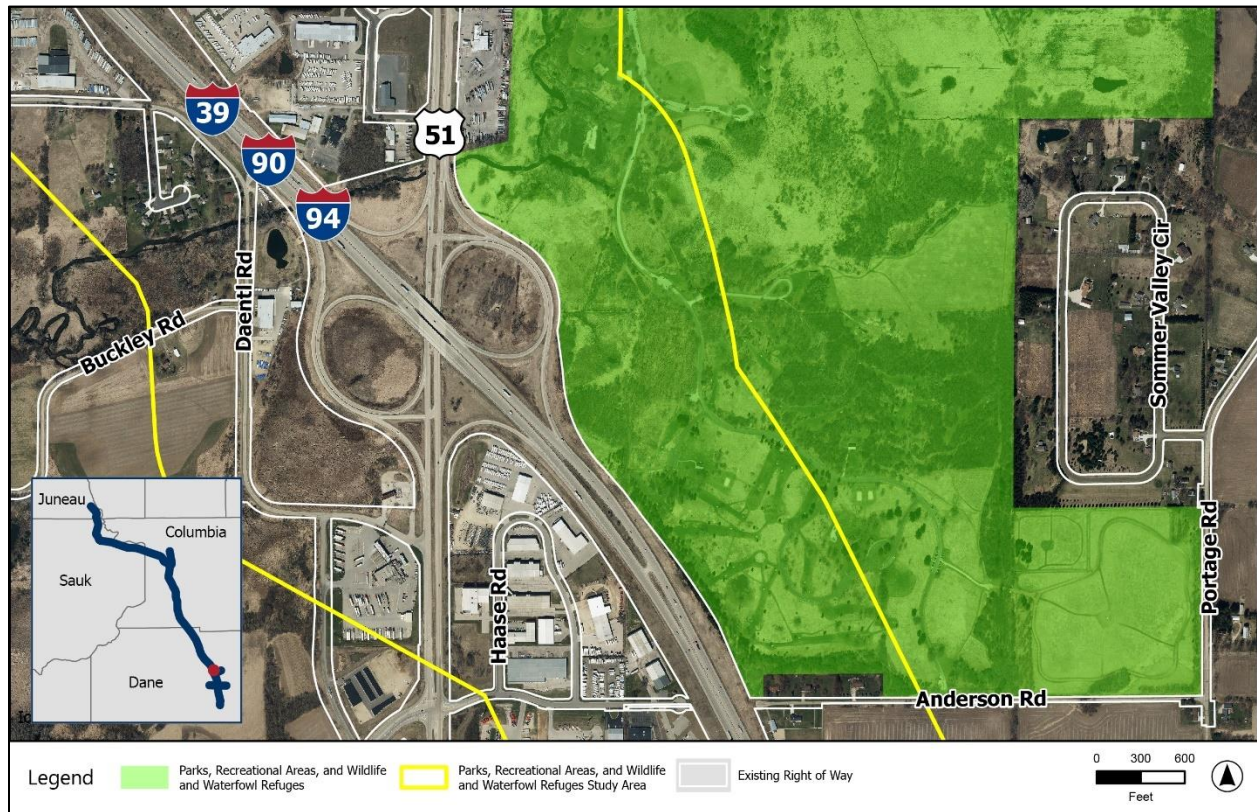
Source: Wisconsin Historical Society

Token Creek County Park

Token Creek County Park, located on the east side of the I-39/90/94 in the village of DeForest, is an approximately 420-acre park owned and operated by Dane County Parks, see Figure 4-25 and Figure 4-26. It shares a property line with the Interstate right of way and offers camping, hiking, cross country skiing, snowshoeing, picnicking, special events, off-leash dog exercise and a disc golf course.²⁶

Section 4(f) applies to Token Creek County Park because Dane County Parks, the official with jurisdiction, considers it a park, it is presumed significant by Dane County Parks by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-25: Token Creek County Park Location Map

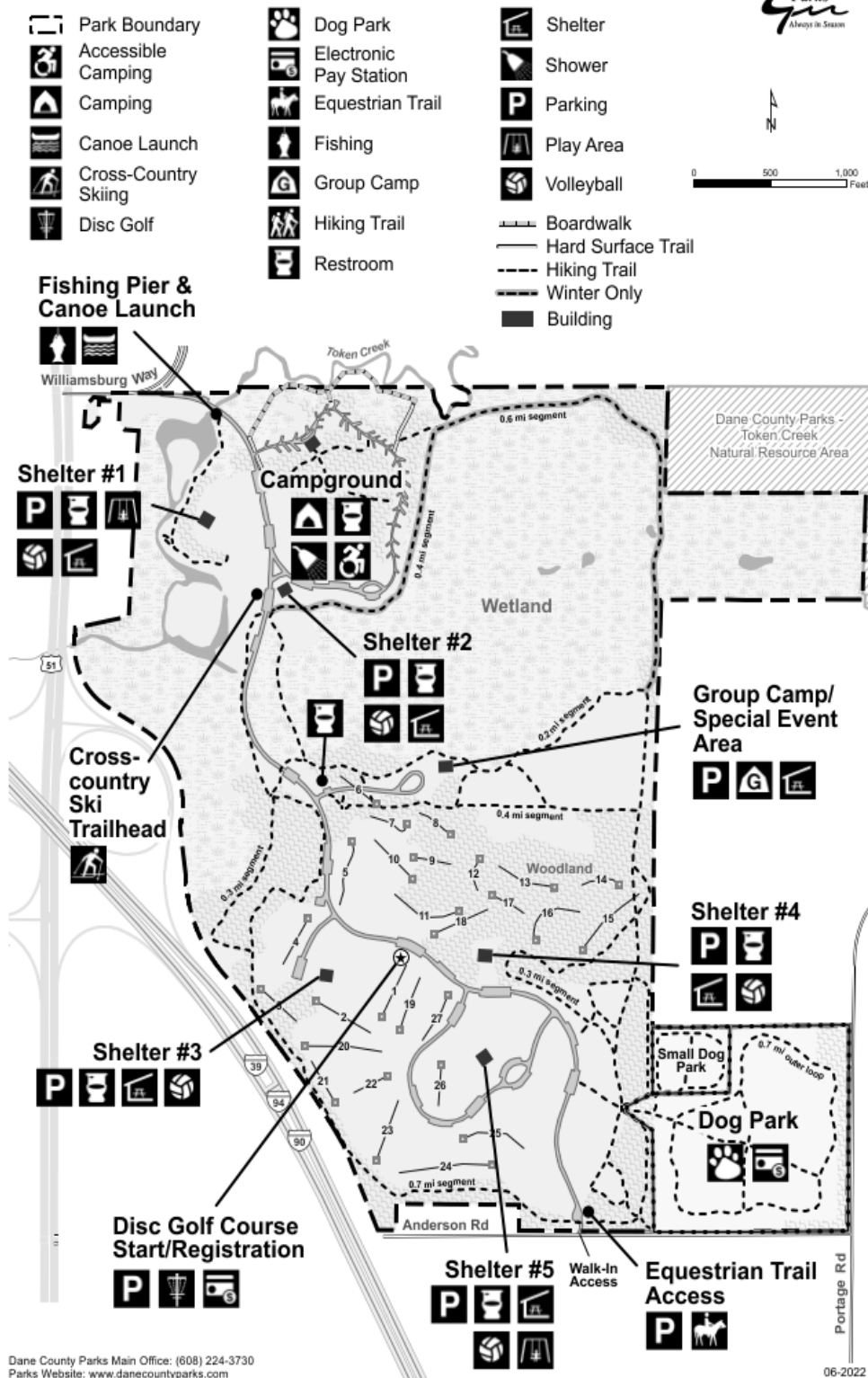


Source: Dane County Parks

²⁶ Dane County Parks. Token Creek County Park. <https://www.danecountyparks.com/park/TokenCreek>. Accessed 2023.

Figure 4-26: Token Creek County Park Map

TOKEN CREEK COUNTY PARK

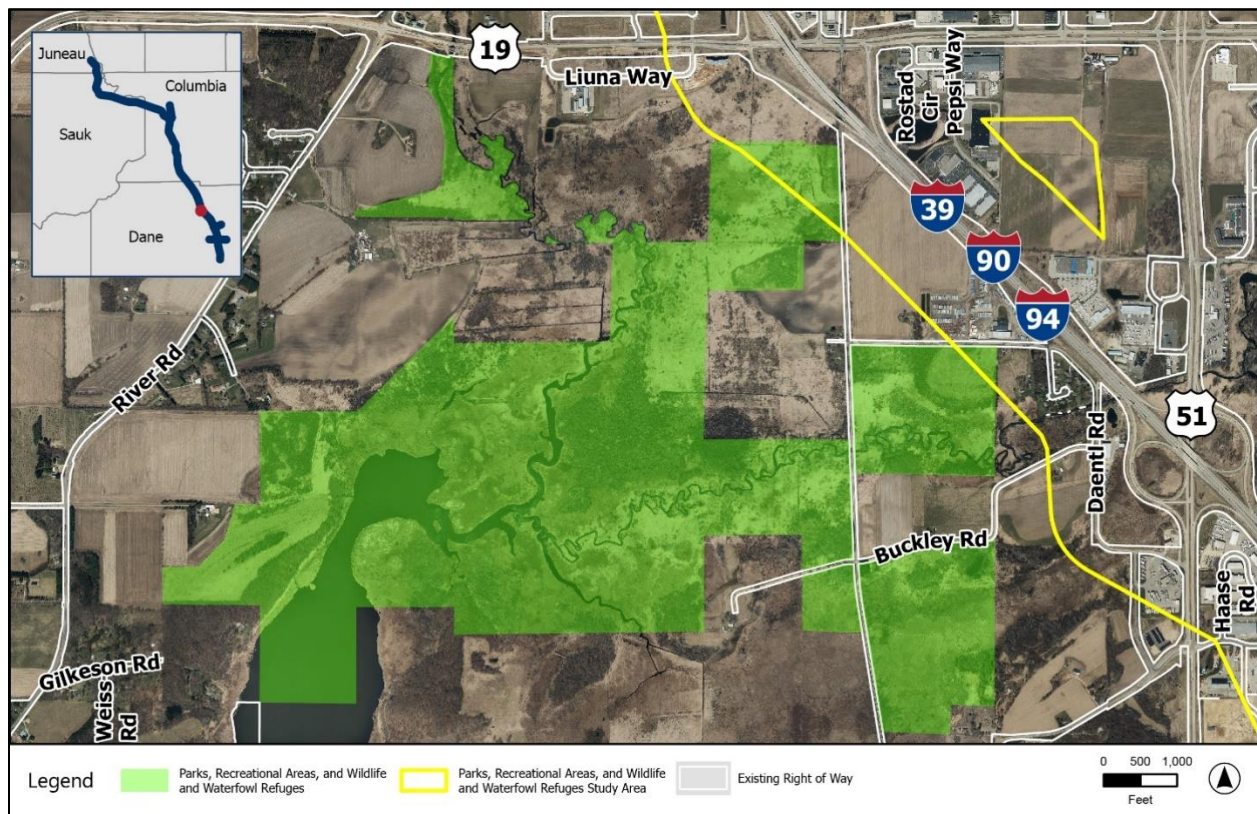


Cherokee Marsh Fishery Area

Cherokee Marsh Fishery Area, located approximately 200 feet west of I-39/90/94 in the town of Burke, is a 985-acre fishery area owned and operated by WDNR, see Figure 4-27. It has critical spawning and nursery habitat for northern pike and gemfish that use the marsh to complete their life cycles. The complex is an extension of the Lake Mendota system. Recreational opportunities include hunting, trapping, hiking, wildlife viewing, fishing, bird watching, berry picking, canoeing/kayaking and geocaching.²⁷

Section 4(f) applies to Cherokee Marsh Fishery Area because WDNR, the official with jurisdiction, manages it as a recreation area and wildlife refuge, it is presumed significant by WDNR by its inclusion in the Wisconsin fishery area system, it is publicly owned and it is open to the public. This fishery area will be avoided. As such, it is not discussed further in this document.

Figure 4-27: Cherokee Marsh Fishery Area



Source: Wisconsin Department of Natural Resources

²⁷ Wisconsin Department of Natural Resources. *Public Access Lands*.

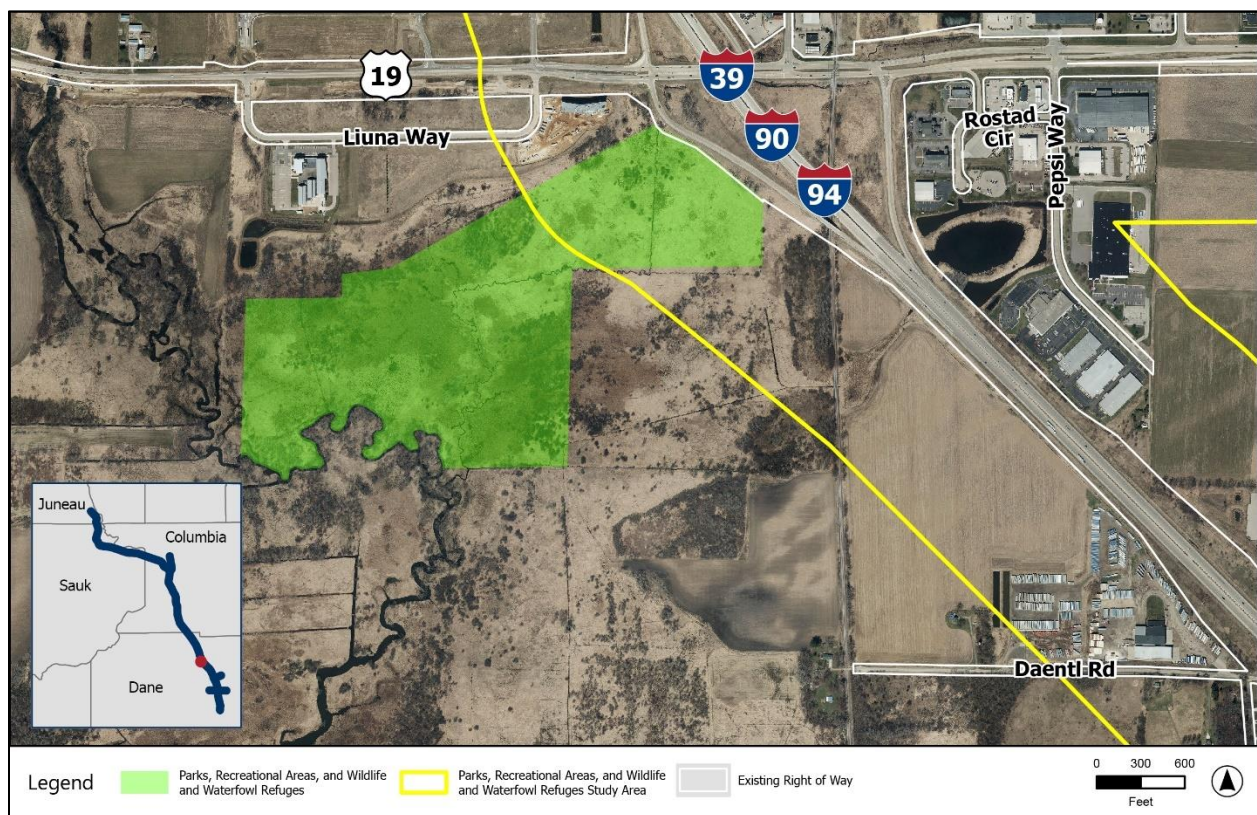
https://dnrm.wisconsin.gov/H5/?Viewer=Public_Access_Lands&layerTheme=Public+Land&run=Search¶m=MGD,PROP_NAM E,CHEROKEE+MARSH+FISHERY+AREA. Accessed Sept. 26, 2023.

Cherokee Marsh Conservation Park

Cherokee Marsh Conservation Park, is next to the entrance ramp from WIS 19 to southbound I-39/90/94 in the village of DeForest, is a 98-acre park owned by the non-profit Groundswell Conservancy, Inc. and operated by Dane County via an easement, see Figure 4-28. The park shares a property line with the Interstate right of way and features hunting, fishing, hiking, wildlife viewing and conservation.²⁸

Section 4(f) applies to Cherokee Marsh Conservation Park because, while it is owned by a non-profit (Groundswell Inc.), it is operated by a public agency (Dane County) via easement for perpetual use for recreation and wildlife conservation, it is presumed significant by Groundswell Inc. and Dane County (the officials with jurisdiction) by its designation for such uses and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-28: Cherokee Marsh Conservation Park



Source: Groundswell Conservancy

²⁸ Groundswell Conservancy. *Special Places*. <https://groundswellconservancy.org/view-all-projects/>. Accessed Sept. 20, 2022.

DeForest Athletic Complex

The DeForest Athletic Complex, located east of I-39/90/94, is a 25-acre park owned and operated by the village of DeForest, see Figure 4-29 and Figure 4-30. It shares a property line with the Interstate right of way and is comprised of four baseball diamonds, two long grass fields and an open-air shelter.²⁹

Section 4(f) applies to the DeForest Athletic Complex because the village of DeForest, the official with jurisdiction, considers it a recreation area, it is presumed significant by the village of DeForest by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-29: DeForest Athletic Complex Location Map



Source: Village of DeForest Public GIS

²⁹ Village of DeForest Parks, Trails & Forestry. <https://deforestwi.govoffice2.com/index.asp?SEC=3C25FBD3-5443-4B7B-9DDE-DF1824F186E2&pri=0>. Accessed Nov. 26, 2024.

Figure 4-30: DeForest Athletic Complex Site Map

Source: Village of DeForest Parks, Trails & Forestry, DeForest Athletic Complex.

Yahara River Conservancy Place

Yahara River Conservancy Place, located approximately 800 feet east of I-39/90/94, is a 149-acre conservancy owned and operated by the village of DeForest, see Figure 4-31. It has recreational activities including trails, ice skating, fishing and canoeing/kayaking.³⁰

Section 4(f) applies to Yahara River Conservancy Place because the village of DeForest, the official with jurisdiction, considers it a recreation area, it is presumed significant by village of DeForest by its identification as a park, it is publicly owned and it is open to the public. This park will be avoided. As such, it is not discussed further in this document.

Figure 4-31: Yahara River Conservancy Place Location Map



Source: Village of DeForest

³⁰ Village of DeForest. *Village of DeForest 2020-2024 Park & Open Space Plan*. 2019.

Michel Johnson Engesether House

The Michel Johnson Engesether House, located approximately 675 feet east of I-39/90/94 at 4799 Daley Road in the village of DeForest, is a one-and-one-half-story, house with Greek Revival influences, see Figure 4-32 and Figure 4-33.

The house was constructed around 1846. WisDOT found that the Engesether House does not meet the NRHP criteria. SHPO concurred with WisDOT on June 9, 2023.

Section 4(f) does not apply to the Engesether House because it is not eligible for listing in the NRHP. Therefore, no further Section 4(f) evaluation is required.

Figure 4-32: Michel Johnson Engesether House Location Map



Source: Wisconsin Historical Society

Figure 4-33: Photo of Michel Johnson Engesether House



Source: Wisconsin Historical Society

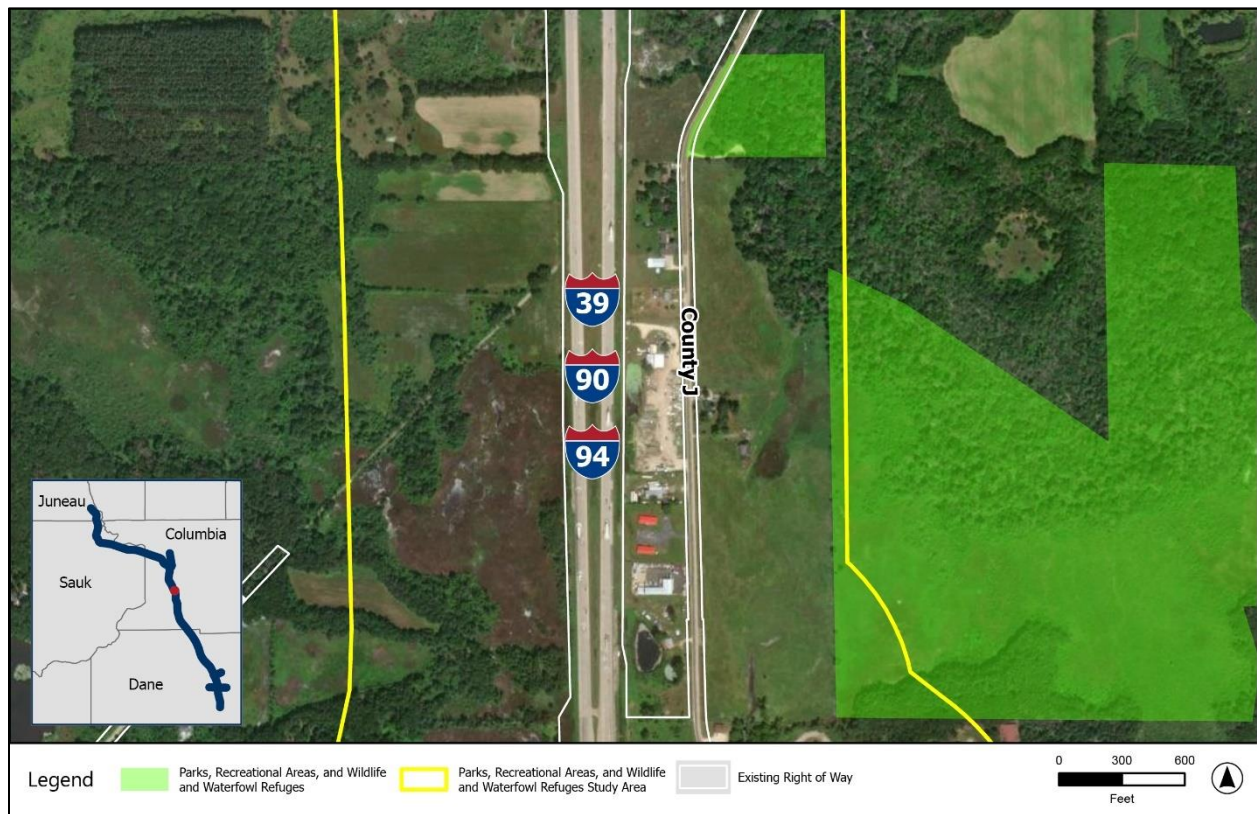
Rowan Creek Fishery Area

The Rowan Creek Fishery Area, located approximately 400 feet east of I-39/90/94 off County J, is a 651-acre fishery area owned and operated by WDNR, see Figure 4-34 and Figure 4-35.

WDNR primarily manages the fishery area for trout fishing but also provides compatible recreation opportunities including hunting, trapping, hiking, cross-country skiing, wildlife viewing, bird watching and canoeing.^{31,32} The parcel off County J provides parking with access to Rowan Creek.

Section 4(f) applies to Rowan Creek Fishery Area because WDNR, the official with jurisdiction, considers it a recreation area, it is presumed significant by WDNR by its inclusion in the Wisconsin fishery area system, it is publicly owned and it is open to the public. This fishery area will be avoided. As such, it is not discussed further in this document.

Figure 4-34: Rowan Creek Fishery Area Location Map

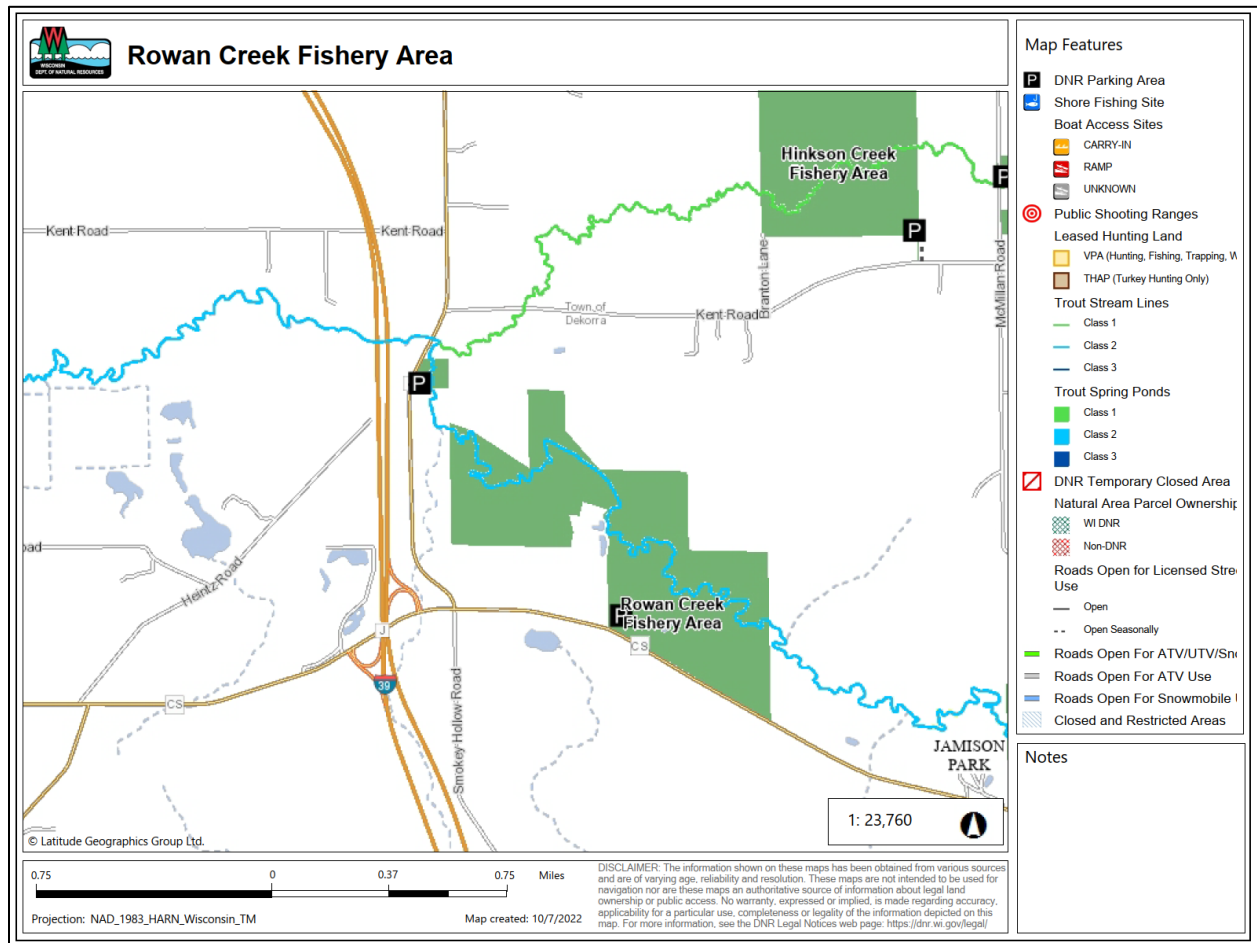


Source: Wisconsin Department of Natural Resources

³¹ Wisconsin Department of Natural Resources. *Columbia County Planning Group Master Plan DNR PUB-LF-066*. December 2012.

³² Wisconsin Department of Natural Resources. *State Fisheries Areas*.
<https://dnr.wisconsin.gov/topic/Lands/FisheriesAreas/2165rowancreek.html>. Accessed July 15, 2022.

Figure 4-35: Rowan Creek Fishery Area Map



Source: Wisconsin Department of Natural Resources

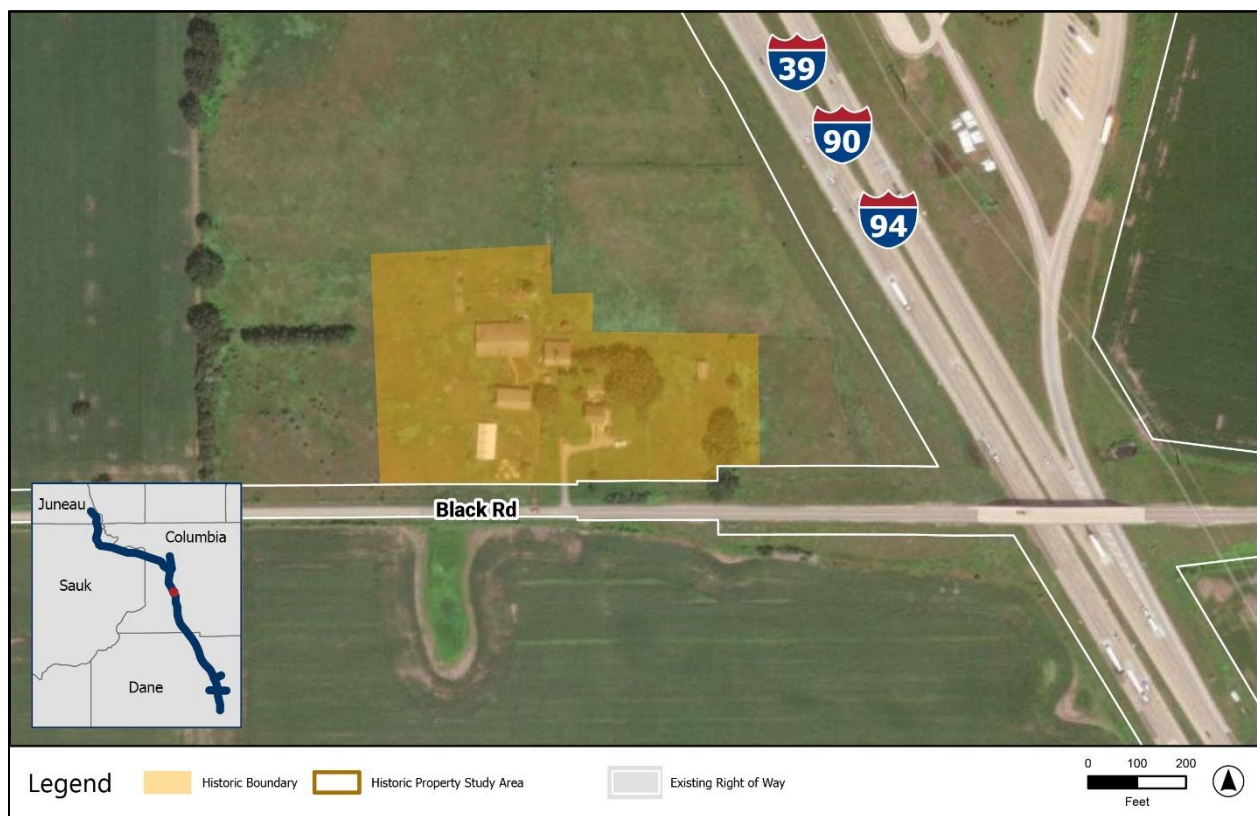
William Black Farmstead

The William Black Farmstead, located on the north side of Black Road west of I-39/90/94 in Poynette, is a privately owned livestock farm with a farmhouse and 25 outbuildings and structures built between 1870 and 1972, see Figure 4-36 and Figure 4-37.

The property is eligible for the NRHP in 2004 under Criterion A (History) and Criterion C (Architecture/Engineering). It is a typical southern Wisconsin farm from the late nineteenth century and early twentieth century with vernacular agricultural outbuildings and dwellings typical of the World War II period and demonstrates the evolution of livestock farming during that time.

Section 4(f) applies to the William Black Farmstead because of its eligibility for listing on the NRHP. This historic property will be avoided. As such, it is not discussed further in this document.

Figure 4-36: William Black Farmstead Location Map



Source: Wisconsin Historical Society

Figure 4-37: William Black Farmstead Photo



Source: Wisconsin Historical Society

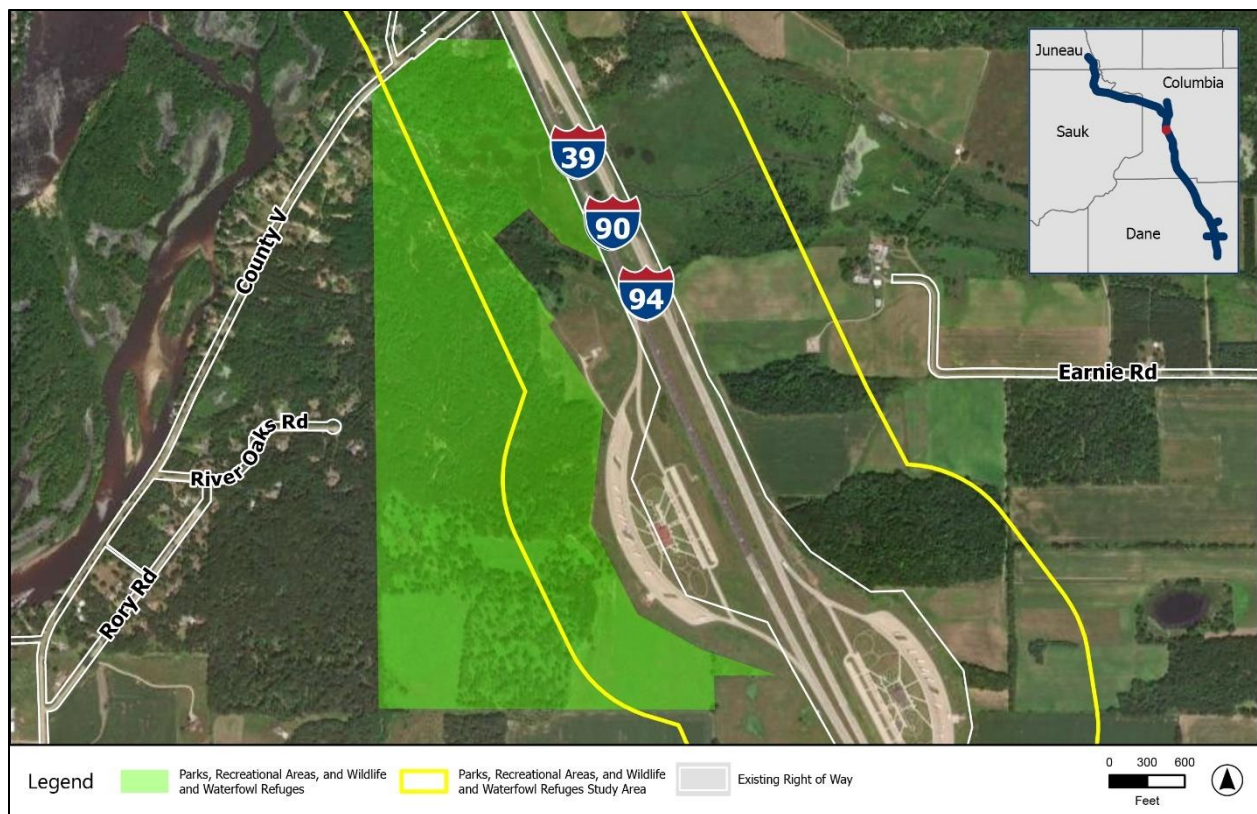
Dekorra Public Hunting Grounds Wildlife Area

The Dekorra Public Hunting Grounds Wildlife Area on the west side of I-39/90/94 south of the Wisconsin River, is a 226-acre state wildlife area owned and operated by WDNR, see Figure 4-38 and Figure 4-39. It shares a property line with the Interstate right of way.

The Dekorra Public Hunting Grounds Wildlife Area was established to provide the public with hunting and other recreational opportunities including trapping, fishing, hiking and cross-country skiing (no designated trails) and wildlife watching. It is managed to maintain and restore native flora and expand oak savanna habitat.³³ Parking is provided at the entrance off County V.

Section 4(f) applies to the Dekorra Public Hunting Grounds Wildlife Area because WDNR, the official with jurisdiction, considers it a recreation area, it is presumed significant by the official with jurisdiction by its inclusion in the WDNR wildlife area program, it is publicly owned, and it is open to the public. This wildlife area will be avoided. As such, it is not discussed further in this document.

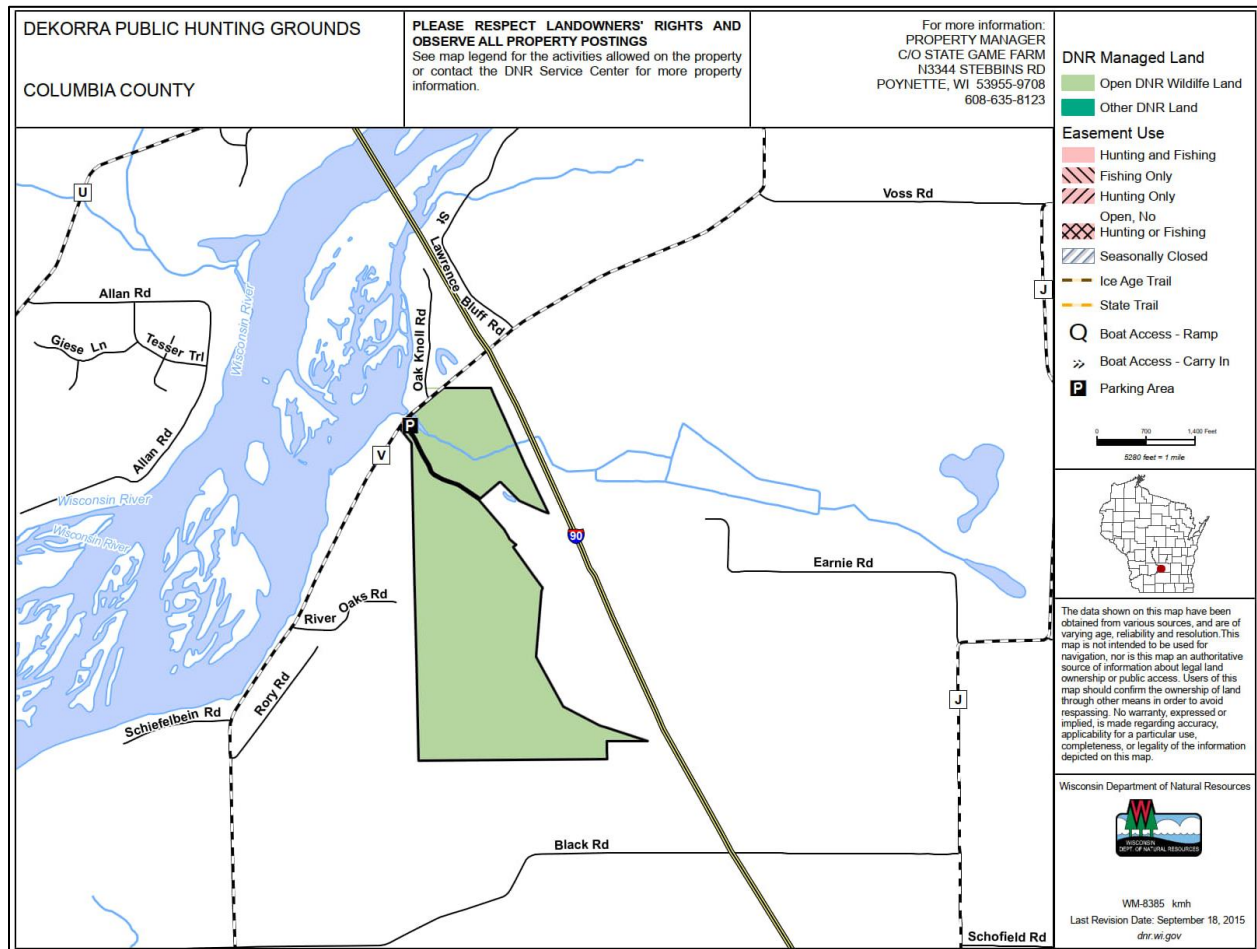
Figure 4-38: Dekorra Public Hunting Grounds Wildlife Area Location Map



Source: Wisconsin Department of Natural Resources

³³ Wisconsin Department of Natural Resources. *Dekorra Public Hunting Grounds*. <https://dnr.wisconsin.gov/topic/Lands/WildlifeAreas/dekorra.html>. Accessed July 15, 2022.

Figure 4-39: Dekorra Public Hunting Grounds Map



Source: Wisconsin Department of Natural Resources

Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area

The Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area is a 950-acre property between I-90/94 and I-39 on the north side of the I-39 I-90/94 Split Interchange, see Figure 4-40. A small parcel of the Baraboo River Waterfowl Production Area is on the south side of I-90/94 west of Tritz Road and another parcel is east of I-39 near the Cascade Mountain Road Interchange with I-39.

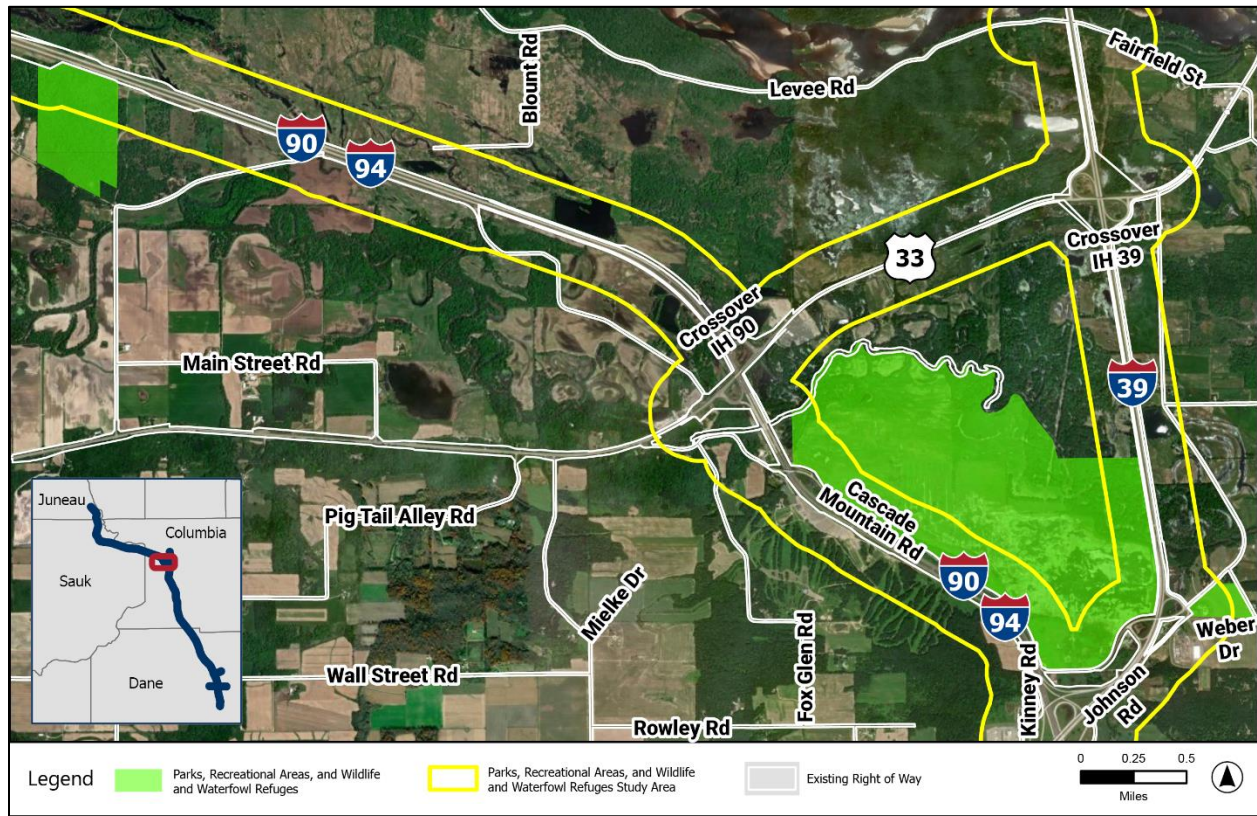
The Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area property is owned and operated by the USFWS. The property was purchased using funds from the federal Duck Stamp program to conserve migratory bird and other wildlife habitat and provide recreational opportunities.³⁴ The most common recreational uses on the property are birdwatching, deer hunting and duck hunting. While the property has no maintained trails, some people hike along the fire breaks.³⁵ Parking is provided at the south end of the property off Cascade Mountain Road.

Section 4(f) applies to the Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest State Natural Area because it meets the definition of a refuge as described in Question 1E of FHWA's Section 4(f) Policy Paper,³⁶ it is presumed significant by USFWS, the official with jurisdiction, by its inclusion in the waterfowl production area system, it is publicly owned and it is open to the public. The proposed improvements would impact this property. These impacts are described in Section 4.4.

³⁴ U.S. Fish and Wildlife Service. *Waterfowl Production Areas. Wetland Management Districts & Waterfowl Production Areas.* <https://www.fws.gov/story/waterfowl-production-areas>. Accessed Oct. 7, 2022.

³⁵ Luebke, Bruce, USFWS. *Personal communication (meeting).* June 30, 2022.

³⁶ U.S. Department of Transportation Federal Highway Administration Office of Planning, Environment, and Realty, *Project Development and Environmental Review. Section 4(f) Policy Paper.* July 20, 2012.

Figure 4-40: Baraboo River Waterfowl Production Area and Floodplain Forest State Natural Area

Source: Wisconsin Department of Natural Resources

WIS 33 Rustic Wayside

The WIS 33 rustic wayside, located on the south side of WIS 33 west of the WIS 33 Interchange at I-90/I-94, is a 2.5-acre wayside, see Figure 4-41 and Figure 4-42. WisDOT owns the wayside and the Columbia County Highway and Transportation Department performs maintenance at the site similar to those provided along other parts of the state highway system such as lawn mowing and snowplowing.³⁷

The property abuts the Baraboo River and has a picnic shelter, open space, grills and a parking lot. It also has a MedFlight landing zone, which is another transportation use in addition to its use as a highway rest area. The Town of Caledonia describes this property as a “rustic” wayside and lists it under “Parks and Recreational Facilities” in its 2030 Comprehensive Plan, the most recent plan available. A “rustic” wayside is different than a rest area along an interstate because it can be accessed by pedestrians and bicyclists as well as drivers. The plan indicates it “provides an important open space area within the Town,” and notes that “should this area no longer be needed as wayside, consideration should be given to converting it into a local park.”

Section 4(f) does not apply to the WIS 33 Rustic Wayside. Although the town of Caledonia includes it in the list of parks and recreational areas in its Comprehensive Plan, WisDOT is the official with jurisdiction for this property. WisDOT considers waysides and rest areas within highway right of way as part of its

³⁷ Town of Caledonia. Town of Caledonia Comprehensive Plan 2030. Adopted July 8, 2009.

transportation facilities; therefore, Section 4(f) protections do not apply and no further Section 4(f) evaluation is required.

Figure 4-41: WIS 33 Rustic Wayside Photo of Picnic Shelter



Source: Jacobs

Figure 4-42: WIS 33 Rustic Wayside

Source: Columbia County Land Information

Pine Island State Wildlife Area

Pine Island State Wildlife Area, located along I-90/94 west of Portage, is a 5,499-acre wildlife area owned and operated by WDNR, see Figure 4-43 and Figure 4-44 . It shares a property line with the Interstate right of way. The primary use of state wildlife areas is hunting, trapping, and fishing.³⁸ Other recreational activities are offered including birding, cross country skiing (no designated trails), canoeing, fishing, hiking (no designated trails), wild edibles gathering and wildlife viewing.³⁹ Parking areas are provided throughout the property. Amenities next to I-90/94 include a dog training and trialing⁴⁰ facility and the management office.⁴¹ The dog trial and training area is managed according to the *Pine Island Wildlife Area Class I Field Trial Grounds & Dog Training Grounds Management Plan*.⁴² The rest of Pine Island State Wildlife Area next to I-90/94 is habitat management area, see Figure 4-44. Privately owned parcels within the Pine Island State Wildlife Area are not subject to Section 4(f).

WDNR's property management objectives focus on protecting the Baraboo River and Wisconsin River watersheds and managing for pre-settlement vegetation types. Pine Island State Wildlife Area, along with several other properties, including the Aldo Leopold Foundation property and Baraboo River Waterfowl Production Area/Baraboo River Floodplain Forest (No. 212) State Natural Area, compose the Leopold-Pine Island Important Bird Area. The Leopold-Pine Island Important Bird Area is managed to provide essential habitat for many different types of birds that naturally inhabit Central Wisconsin.⁴³ The Important Bird Area designation carries no regulatory protection.

Section 4(f) applies to Pine Island State Wildlife Area because WDNR, the official with jurisdiction, considers it a recreation area, it is presumed significant by WDNR by its inclusion in the Wisconsin state wildlife area system, it is publicly owned and it is open to the public. The proposed improvements would impact this property. These impacts are described in Section 4.4.1.

³⁸ NR 1.51 Wis. Admin. Code.

³⁹ Wisconsin Department of Natural Resources. *State Wildlife Areas*.
<https://dnr.wisconsin.gov/topic/Lands/WildlifeAreas/pineisland.html>. Accessed July 15, 2022.

⁴⁰ Dog trials are competitions during which sporting dogs showcase their hunting abilities.

⁴¹ See note 31 above

⁴² Wisconsin Department of Natural Resources. *Pine Island Wildlife Area Class I Field Trial Grounds & Dog Training Grounds Management Plan*. 2010.

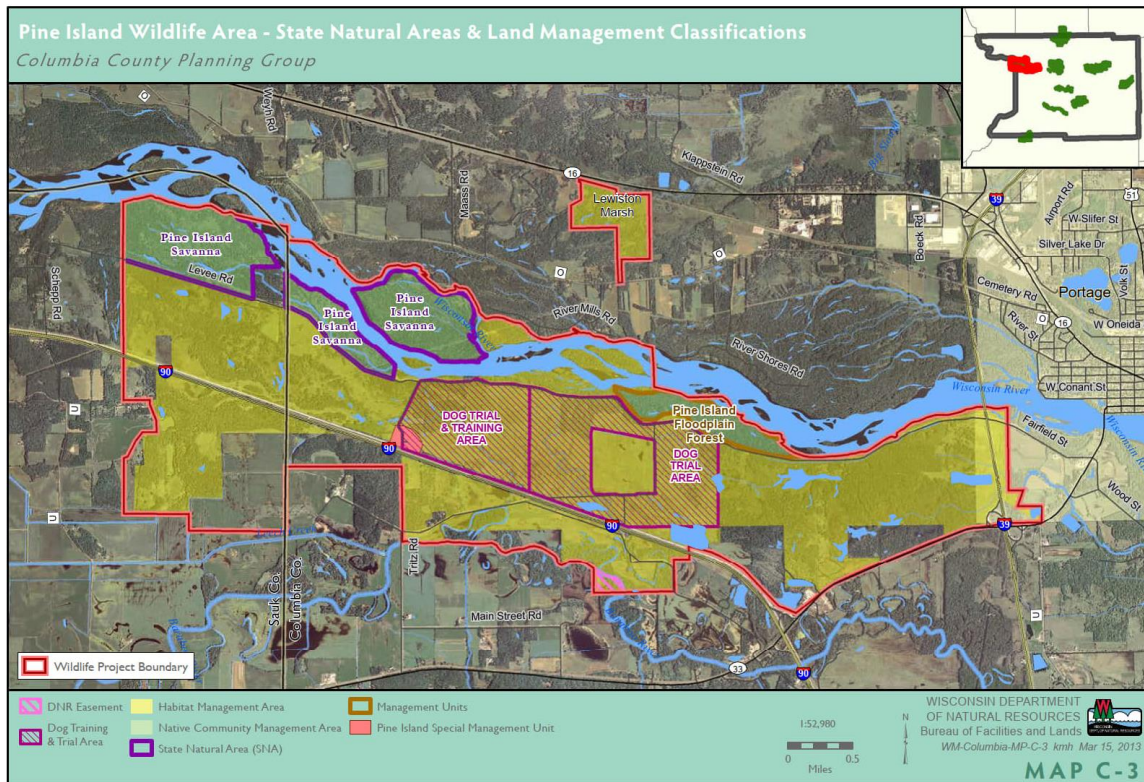
⁴³ Wisconsin Department of Natural Resources. *Wisconsin Important Bird Areas. Leopold Reserve-Pine Island*.
<http://www.wisconsinbirds.org/iba/sites/leopold-reserve-pine-island/>. Accessed Sept. 28, 2022.

Figure 4-43: Pine Island State Wildlife Area



Source: Wisconsin Department of Natural Resources

Figure 4-44: Pine Island State Wildlife Area Land Management Classifications



Source: Wisconsin Department of Natural Resources

Ice Age National Scenic Trail

The Ice Age National Scenic Trail, a 1,200-mile-long trail entirely within Wisconsin between Interstate State Park in St. Croix Falls and Potawatomi State Park in Sturgeon Bay, is jointly administered by the National Park Service (NPS), WDNR, and the Ice Age Trail Alliance, see Figure 4-45. It has off-road dedicated trail segments and on-road unmarked connecting routes. The trail is open for hiking, backpacking, snowshoeing and occasionally biking, snowmobiling and cross-county skiing where it joins segments of trails dedicated to those activities. On-road unmarked connecting routes of the Ice Age National Scenic Trail follow Schepp Road under I-90/94, Levee Road under I-39, County H under I-90/94 and US 12 and 60th Street on the east side of the US 12/WIS 16 Interchange.

Section 4(f) does not apply to the four on-road unmarked connecting routes that cross the study corridor. Applicability of Section 4(f) to trails is exempted when they occupy a transportation right of way without limitation to any specific location within that right of way, so long as the continuity of the trail, path, bikeway or sidewalk is maintained (23 CFR 774.13(f)(3)). In all four of these locations, the trail is routed on the roadway with no designated location within the roadways' right of way, and continuity of the trail would be maintained temporarily during construction by either avoiding them or with a temporary reroute. Additionally, per Question 15B of FHWA's Policy Paper which speaks to Section 4(f) applicability to the trails designated under the National Trails System Act, National Scenic Trails must be on publicly owned recreation land to be subject to Section 4(f).⁴⁴ As the Ice Age National Scenic Trail is located along roadways in the study area, and not on recreation land, and the build alternatives would maintain trail continuity, Section 4(f) does not apply.

⁴⁴ See note 36 above

Figure 4-45: Ice Age National Scenic Trail Location Map

Source: Ice Age Trail Alliance. *Ice Age National Scenic Trail Hiker Resource Map* (arcgis.com). Accessed Jan. 14, 2024.

Aldo Leopold Foundation Property and Aldo Leopold Shack

The Aldo Leopold Foundation property is between the village of Lake Delton and city of Portage approximately 700 feet north of I-90/94 at its closest point to the Interstate. It is a nature center and recreation area owned and operated by the Aldo Leopold Foundation, see Figure 4-46. The property has 2.5 miles of trails for hiking, skiing or snowshoeing, the Leopold Center (the Aldo Leopold Foundation headquarters, visitor center and meeting space), the Shack (where Aldo Leopold and his family stayed on weekend retreats) and the Leopold Memorial Site (approximately where Aldo Leopold died from a heart attack while fighting a grass fire in 1948). The property is also included in the Leopold-Pine Island Important Bird Area along with several other properties including the Pine Island State Wildlife Area and Baraboo River Waterfowl Production Area/Baraboo River Floodplain Forest (No. 212) State Natural Area.⁴⁵

The Aldo Leopold Shack was listed on the NRHP in 1978 in the areas of conservation, literature, philosophy and science.⁴⁶ It was designated a National Historic Landmark in 2009.⁴⁷ While the Aldo

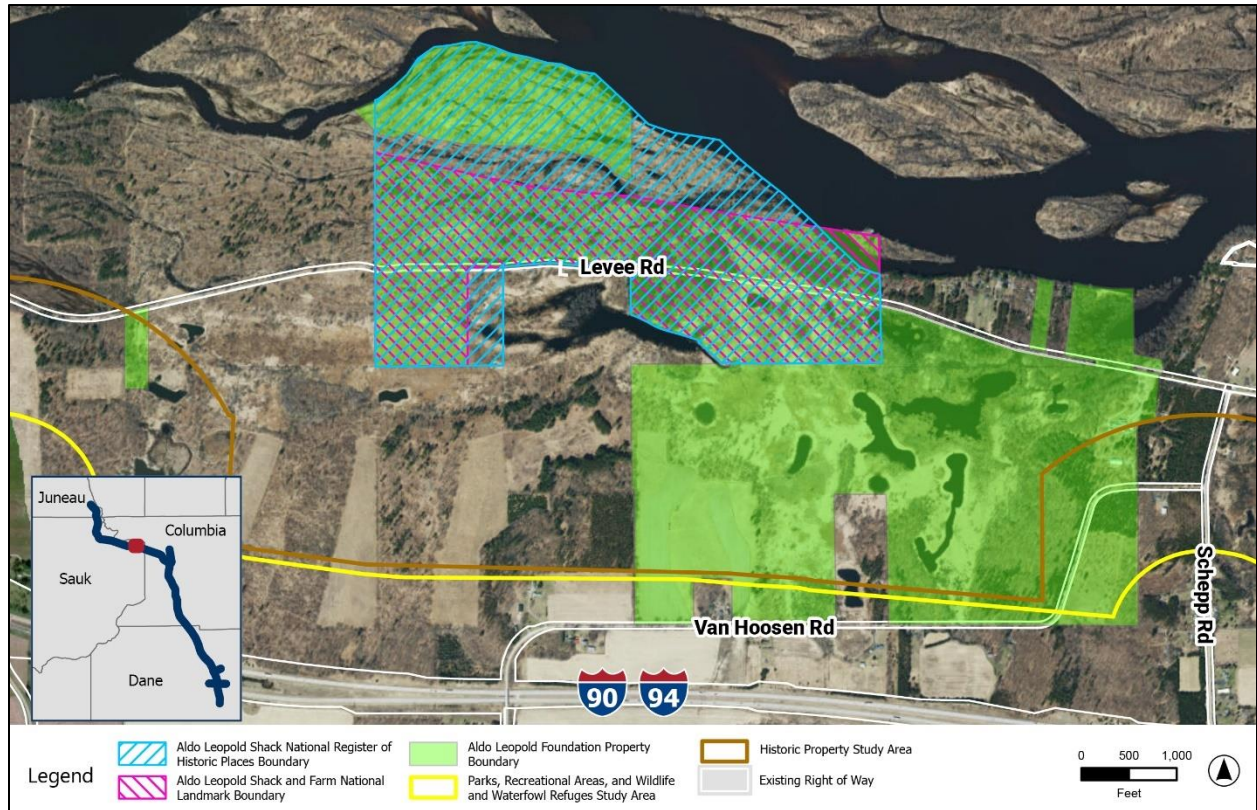
⁴⁵ The Aldo Leopold Foundation. *Hours and Location*. <https://www.aldoleopold.org/visit/>. Accessed Sept. 28, 2022.

⁴⁶ National Archives Catalog. *Wisconsin SP Leopold, Aldo, Shack*. <https://catalog.archives.gov/id/106782466>. Accessed May 12, 2023.

⁴⁷ National Archives Catalog. *Wisconsin NHL Aldo Leopold Shack and Farm*. <https://catalog.archives.gov/id/106779899>. Accessed May 12, 2023.

Leopold Foundation Property has recreational opportunities and serves as a refuge, it is privately owned. As such, Section 4(f) does not apply based on its recreational and refuge characteristics. The Aldo Leopold Shack is a historic site because of its listing on the NRHP but is outside the APE. This property will be avoided. As such, it is not discussed further in this document.

Figure 4-46: Aldo Leopold Property Location Map



Source: Wisconsin Historical Society and Sauk County Land Information GIS.

Mirror Lake State Park

Mirror Lake State Park, located on the west side of I-90/94 near Lake Delton, is a 2,200-acre state park owned and operated by WDNR, see Figure 4-47. It shares a property line with the Interstate right of way.

The park offers numerous recreational opportunities including biking, boating, canoeing, kayaking, camping, fishing, hiking, hunting, swimming, cross-country skiing and snowshoeing.⁴⁸ The portion of the park adjacent to the Interstate is classified as a Recreation Management Area, see Figure 4-48.⁴⁹

The Ishnala Trail is the park's closest recreational feature to the Interstate, which is approximately 250 feet from I-90/94 at its closest, see Figure 4-49 and Figure 4-50.

Section 4(f) applies to Mirror Lake State Park because WDNR, the official with jurisdiction, considers it a park, it is presumed significant by WDNR by its inclusion in the Wisconsin state park system, it is publicly owned and it is open to the public. The proposed improvements would impact this property. These impacts are described in Section 4.4.1.

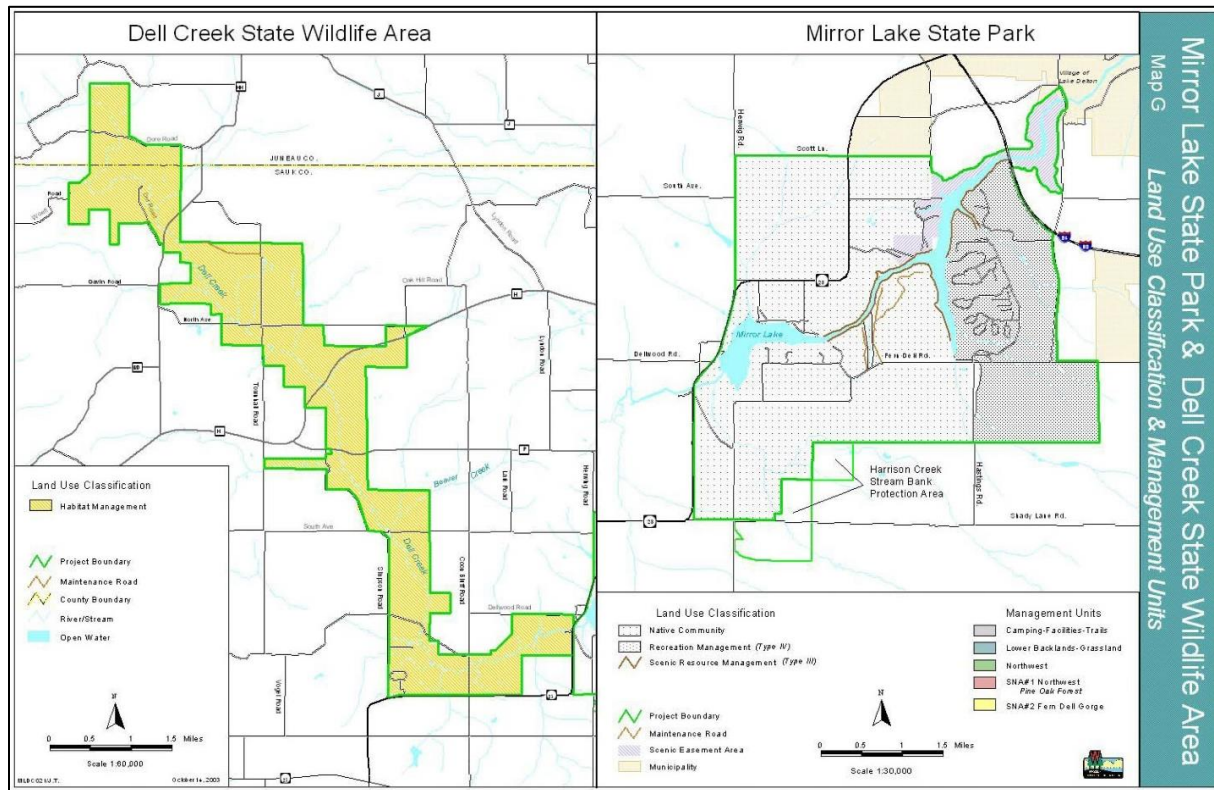
Figure 4-47: Mirror Lake State Park Location Map



Source: Wisconsin Dept. of Natural Resources

⁴⁸ Wisconsin Department of Natural Resources. Recreation. Mirror Lake State Park. <https://dnr.wisconsin.gov/topic/parks/mirrorlake/recreation>. Accessed Sept. 28, 2022.

⁴⁹ Wisconsin Department of Natural Resources. Master Plan for Mirror Lake State Park and the Dell Creek State Wildlife Area. Approved June 2003; Variance approved Aug. 2018.

Figure 4-48: Mirror Lake State Park Land Use Classification and Management Units Map

Source: Wisconsin Department of Natural Resources

Figure 4-49: Mirror Lake State Park Summer Trail Map

Source: Wisconsin Department of Natural Resources

Figure 4-50: Ishnala Trail at Mirror Lake State Park



Source: Jacobs

Hulburt Creek Fishery Area

The Hulburt Creek Fishery Area, located on the west side of WIS 13 Interchange near Wisconsin Dells, is a 568-acre fishery area owned and operated by WDNR, see Figure 4-51. It shares a property line with the I-90/94 and WIS 13 rights of way.

The Hulburt Creek Fishery Area is managed to protect the important Class 1 brook trout fishery in Hulburt Creek while accommodating compatible outdoor recreational uses.⁵⁰ These include trout fishing, hunting, trapping, hiking, snowmobiling, wildlife viewing, bird watching and berry picking.⁵¹ The parcel nearest the Interstate has a snowmobile trail that runs approximately 70 feet from the Interstate at its closest, see, Figure 4-52.

Section 4(f) applies to Hulburt Creek Fishery Area because WDNR, the official with jurisdiction, considers it a recreation area, it is presumed significant by WDNR by its inclusion in the Wisconsin fishery area system, it is publicly owned and it is open to the public. The proposed improvements would impact this property. These impacts are described in Section 4.4.

Figure 4-51: Hulburt Creek Fishery Area Location Map



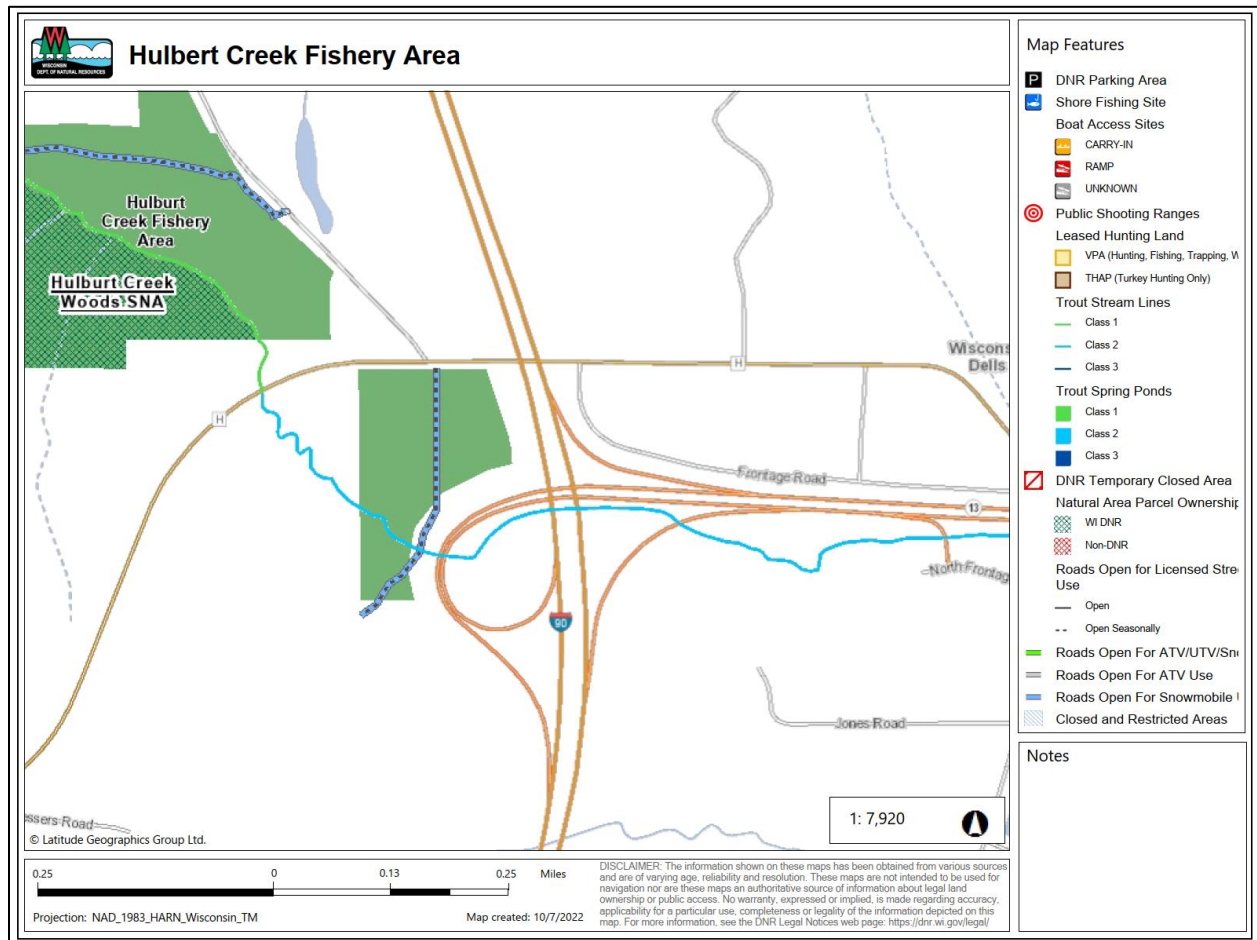
Source: Wisconsin Department of Natural Resources

⁵⁰ Wisconsin Department of Natural Resources. *Hulburt Creek Fishery Area Master Plan Concept Element*. Dec. 19, 1979.

⁵¹ Wisconsin Department of Natural Resources. *Hulburt Creek Fishery Area*.

<https://dnr.wisconsin.gov/topic/Lands/FisheriesAreas/1140hulburtcreek.html>. Accessed Sept. 28, 2022

Figure 4-52: Hulburt Creek Fishery Area Details



Source: Wisconsin Department of Natural Resources

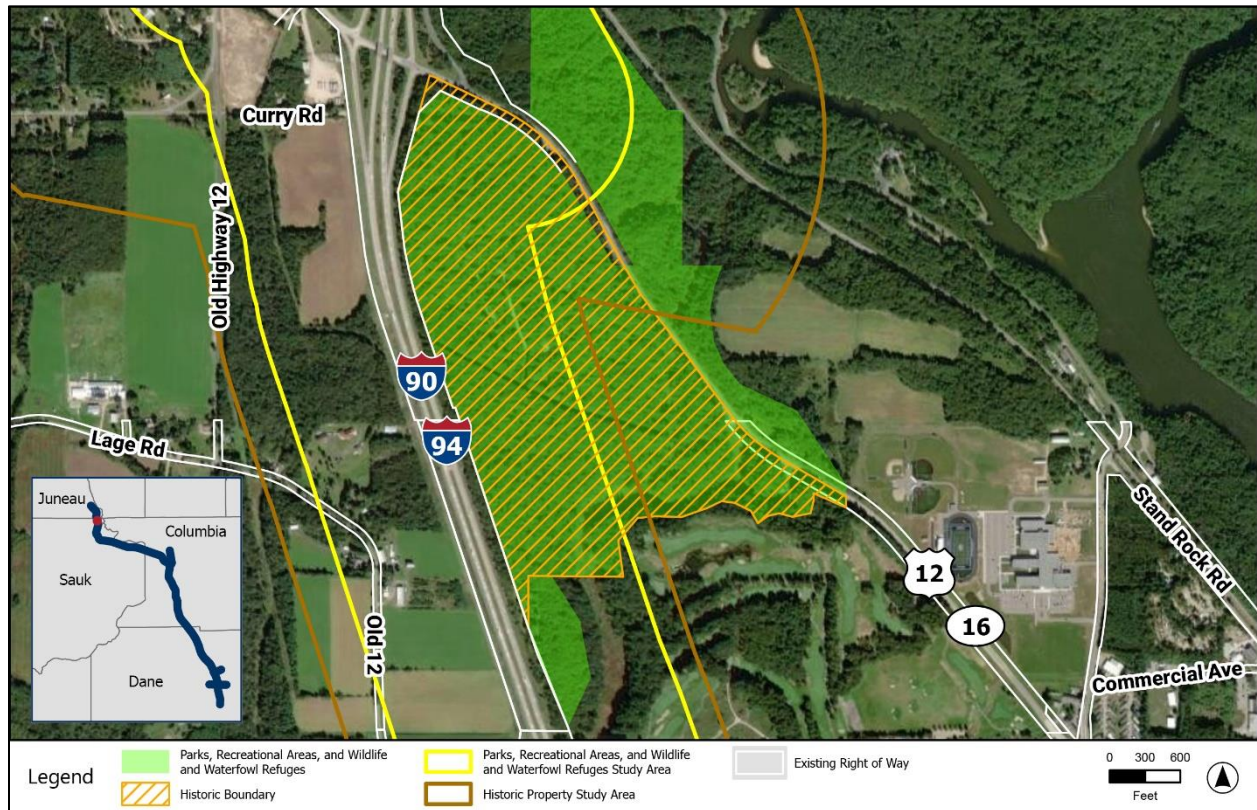
Rocky Arbor State Park

Rocky Arbor State Park, located on the east side of I-90/94 near Wisconsin Dells, is a 265-acre state park owned and operated by WDNR, see Figure 4-53 and Figure 4-54. It shares a property line with the Interstate right of way. Visitors can camp, hike, hunt, trap and snowshoe. Rocky Arbor State Park also has a picnic area and playground.⁵²

WisDOT recommended Rocky Arbor State Park eligible for listing on the NRHP under Criterion A (History) in the areas of Conservation and Entertainment/Recreation as a well-preserved, representative early example of a roadside park in Wisconsin. SHPO concurred with WisDOT's recommendation on June 14, 2023.

Section 4(f) applies to Rocky Arbor State Park because WDNR, the official with jurisdiction, considers it a park, it is presumed significant by WDNR by its inclusion in the Wisconsin state park system, it is publicly owned and it is open to the public. Section 4(f) also applies because of its eligibility for listing on the NRHP. The proposed improvements would impact this property. These impacts are described in Section 4.4.1.

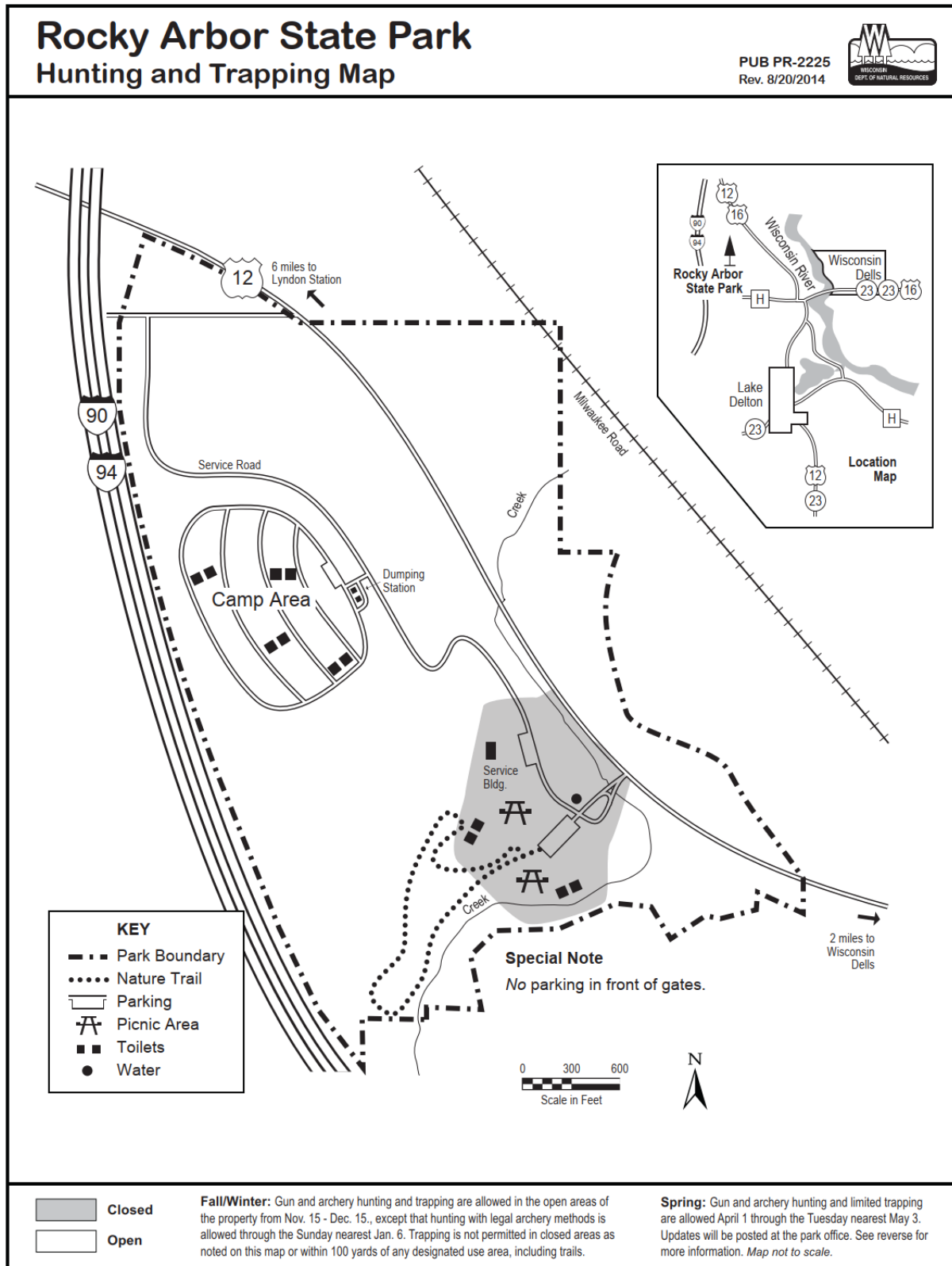
Figure 4-53: Rocky Arbor State Park Location Map



Source: Wisconsin Department of Natural Resources

⁵² Wisconsin Department of Natural Resources. Rocky Arbor State Park. <https://dnr.wisconsin.gov/topic/parks/rockyarbor/recreation>. Accessed Sept. 28, 2022.

Figure 4-54: Rocky Arbor State Park Map



Source: Wisconsin Department of Natural Resources

4.4. Proposed Action Relative to Section 4(f) and 6(f) Properties

The No Build alternative would avoid Section 4(f) properties. The remainder of this section describes the build alternatives' impacts on Section 4(f) properties.

Effects to Section 4(f) properties by the build alternatives range from avoidance (no effect) to potentially acquiring land from the property. In some cases, special funding sources were used to purchase or enhance Section 4(f) properties, which therefore requires additional coordination. Special funding sources used at properties that WisDOT may acquire are described below and are discussed for each property, where applicable. Table 4-2 summarizes where special funding considerations would apply at properties discussed in this section.

Land and Water Conservation Fund Act of 1965. The U.S. Department of the Interior provides Land and Water Conservation Fund Act (LWCF) matching grants to states to acquire and develop public outdoor recreation properties. Section 6(f) of the LWCF prohibits the conversion of recreation property acquired or developed with these grants to a non-recreation purpose without the approval of the National Park Service (NPS).⁵³ Section 6(f) applies to properties that have received LWCF grants. The WDNR administers the LWCF for the NPS in Wisconsin; coordination with WDNR is required when a transportation project may affect these properties.

Federal Aid in Wildlife Restoration Act of 1937 (Pittman-Robertson Act). Pittman-Robertson Act funds are provided by the U.S. Department of the Interior to state wildlife management agencies (e.g., WDNR) to restore, conserve, manage, and enhance wild birds and mammals and their habitats, improve access to wildlife-related recreation, provide hunter education and development, and to construct and operate target ranges.⁵⁴ Coordination with WDNR is required when a transportation project may affect properties using these funds.

Knowles-Nelson Stewardship Program. Knowles-Nelson Stewardship Program funds are state funds managed by WDNR to preserve important natural communities, protect water quality and fisheries, and expand opportunities for outdoor recreation.⁵⁵ Coordination with WDNR is required when a transportation project may affect properties using these funds.

Migratory Bird Hunting and Conservation Stamp Act (Duck Stamp). The Migratory Bird Hunting and Conservation Stamp Act requires waterfowl hunters to purchase hunting stamps (also known as Duck Stamps) in order to hunt waterfowl.⁵⁶ USFWS uses funds from the Duck Stamp program to conserve migratory bird habitat such as waterfowl production areas. Coordination with USFWS is required when a transportation project may affect properties using these funds.

North American Wetlands Conservation Act. The North American Wetlands Conservation Act authorizes grants to public-private partnerships in Canada, Mexico, and the United States to protect, enhance, restore, and manage waterfowl, other migratory birds and other fish and wildlife, and the wetland ecosystems and other habitats upon which they depend, consistent with the North American Waterfowl

⁵³ National Park Service. Land and Water Conservation Fund. <https://www.nps.gov/subjects/lwcf/protection.htm>. Accessed Jan. 22, 2024.

⁵⁴ U.S. Fish & Wildlife Service. Wildlife Restoration. <https://www.fws.gov/program/wildlife-restoration>. Accessed July 5, 2022.

⁵⁵ Wisconsin Department of Natural Resources. Knowles-Nelson Stewardship Program. <https://dnr.wisconsin.gov/topic/Stewardship>. Accessed July 5, 2022.

⁵⁶ U.S. Fish & Wildlife Service. Migratory Bird Hunting and Conservation Stamp Act. <https://www.fws.gov/law/migratory-bird-hunting-and-conservation-stamp-act>. Accessed Oct. 7, 2022.

Management Plan.⁵⁷ Coordination with USFWS is required when a transportation project may affect properties using these grants.

4.4.1. Historic Sites, Parks, Recreational Areas, and Wildlife and Waterfowl Refuges

The build alternatives would potentially require land, temporarily or permanently, from the following Section 4(f) properties:

- o Glacial Drumlin Trail
- o Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area
- o Pine Island State Wildlife Area
- o Mirror Lake State Park
- o Hulburt Creek Fishery Area
- o Rocky Arbor State Park

Impacts to these properties are described below. Table 4-1 in Section 4.6 describes the build alternatives' potential impacts, FHWA's Section 4(f) determinations and identifies special funding sources used for Section 4(f) properties impacted by the build alternatives. Table 4-2 in Section 4.6 identifies special funding sources used at impacted Section 4(f) properties.

Glacial Drumlin State Trail

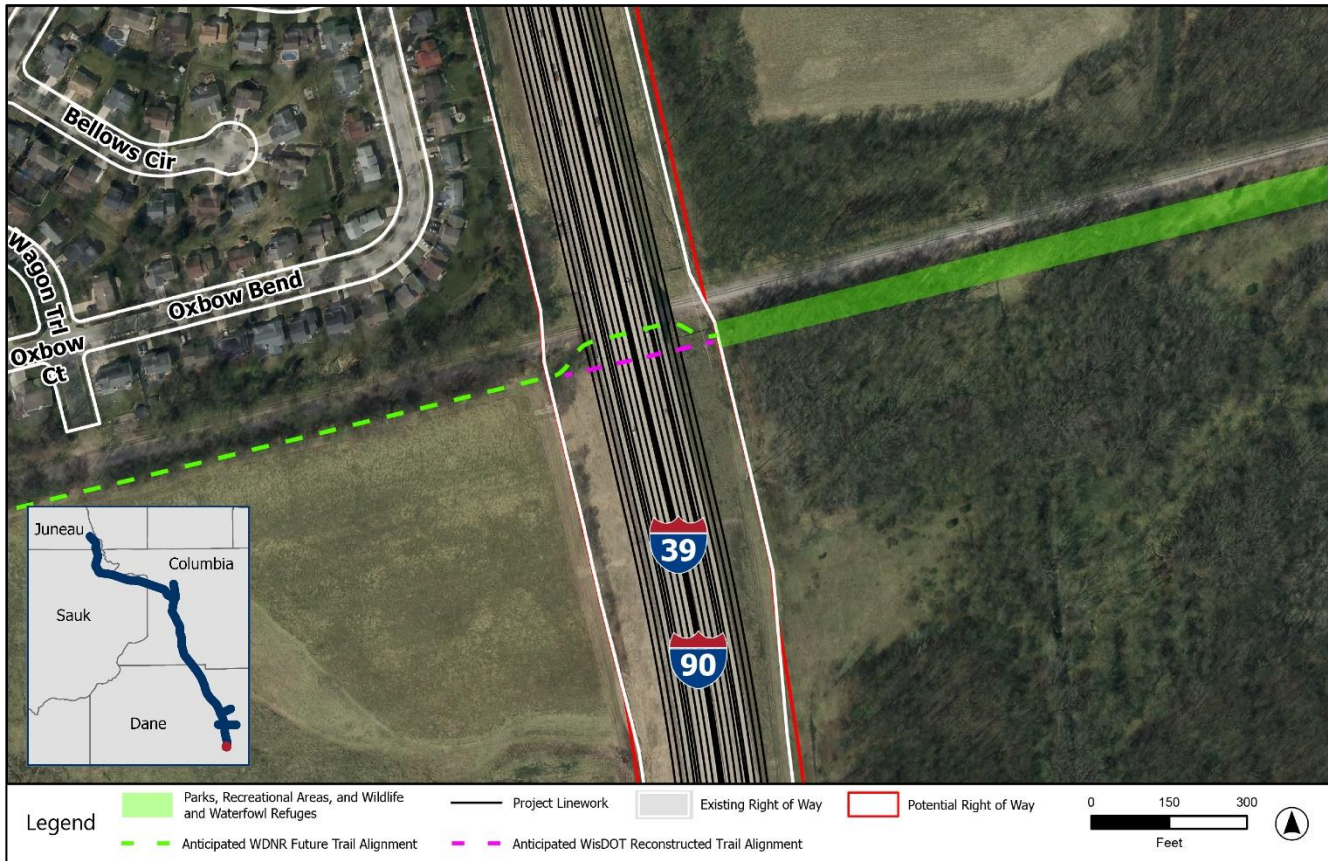
Proposed Action

In the vicinity of the future Glacial Drumlin State Trail, both freeway modernization alternatives (Modernization Plus Added General-Purpose Lane and Modernization Hybrid) would widen the Interstate to allow for either an added general-purpose lane or managed lane and an outside auxiliary lane, where needed.

Construction of either modernization alternative would require temporarily closing the trail for potentially up to 9 months, see Figure 4-55. No right of way or temporary easement would be needed.

The trail route currently exists within an active railroad corridor which runs perpendicular to and under the Interstate. The trail connection will be constructed at its current location by WDNR (see green dashed route in Figure 4-55) and its local partners beginning in 2025 via written permits with WisDOT (public infrastructure permit L-8087 and provisional DT-1812 permit for construction). The permits were issued and accepted with the understanding that WisDOT would reconstruct the trail immediately outside and next to the railroad right of way when the Interstate is reconstructed (see pink dashed route in Figure 4-55). WisDOT will coordinate with WDNR to install temporary detour (e.g., for closures during construction) and permanent guiding signage on WisDOT highways.

⁵⁷ U.S. Fish & Wildlife Service. North American Wetlands Conservation. <https://www.fws.gov/program/north-american-wetlands-conservation/what-we-do>. Accessed Oct. 10, 2022.

Figure 4-55: Impacts to Glacial Drumlin State Trail

Source: Wisconsin Department of Natural Resources

Section 4(f) Evaluation

FHWA has made a finding of *de minimis* impact to Glacial Drumlin State Trail. WisDOT presented the proposed *de minimis* impact at the Jan. 30-31 and Feb. 1, 2024, public involvement meetings and at the July and August 2024 public hearings on the Draft EIS, after which WDNR, the official with jurisdiction concurred on the *de minimis* finding on October 14, 2024, see Appendix P.

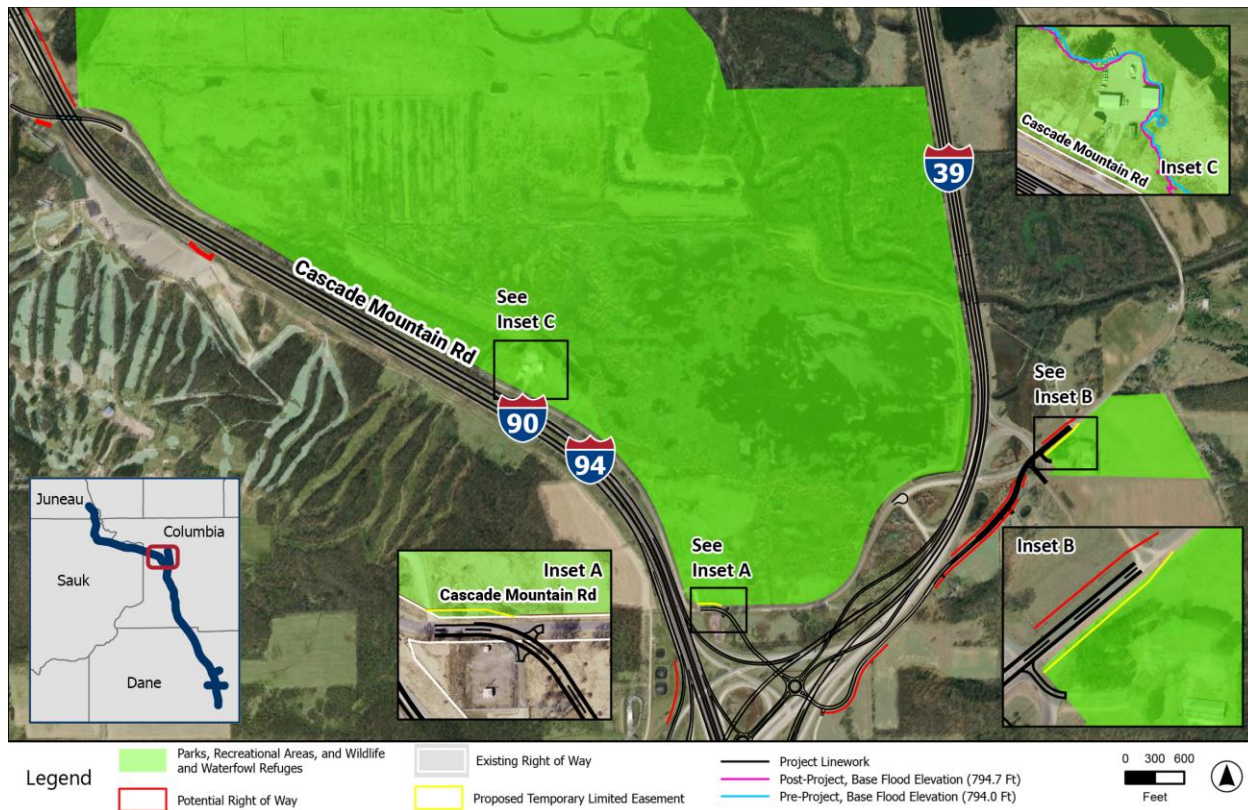
Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area

Proposed Action

In the vicinity of Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area, both freeway modernization alternatives (Modernization Plus Added General-Purpose Lane and Modernization Hybrid) would widen I-90/94 from 4 lanes to 6 lanes by adding a general-purpose lane in each direction in the median. I-90/94 would be raised about 4 feet in the vicinity of the WIS 33 Interchange to minimize flooding that has caused road closures. I-39 would remain 4 lanes but raised about 3 to 4 feet to minimize flooding that has caused road closures. The Cascade Mountain Interchange would be reconfigured to increase safety and reduce flooding. The reconfiguration includes rerouting Cascade Mountain Road.

The proposed improvements would require about 0.1 acres of temporary easement from the parking lot, see Inset A on Figure 4-56, and approximately 0.2 acres of temporary easement from the west edge of the parcel east of I-39, see Inset B on Figure 4-56. Access to the property would remain throughout and after construction. Raising the elevation of I-90/94 and I-39 as well as lengthening the existing I-39 bridge over the Baraboo River by 500 feet would increase the water surface elevation on the property by up to 1.5 feet. The flood elevation increase of up to 1.5 feet also occurs in the area near the USFWS's field office on Crystal Mountain Road, just north of I-90/94 during a 100-year flood event, encroaching onto one of USFWS's maintenance and storage garages and some parking associated with the maintenance and storage garages, see Inset C on Figure 4-56. The change in base flood elevation is anticipated to have little impact on wetland type and function. See Section 3.13 for more discussion. WisDOT, in coordination with USFWS may determine buildings impacted by increased flood elevation could be moved, protected with earth berms or raised to avoid flood impacts. The USFWS developed a relocation scope of work that identified a potential relocation site, see Appendix P. To mitigate temporary construction impacts, WisDOT will restore disturbed areas to a condition which is at least as good as that which existed prior to construction. In consultation with USFWS, WisDOT will restore habitat with seed mixes and vegetation that USFWS specifies.

Figure 4-56: Impact to Baraboo River Properties



Source: U.S. Fish and Wildlife Service

The proposed improvements to I-90/94 and I-39 are along the existing road alignment thereby minimizing encroachment onto the Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212)

State Natural Area property. Additional efforts will be made in the engineering design phase to further minimize encroachment on this property.

Duck Stamp funds were used to purchase the Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area property. During final design and prior to construction, WisDOT will coordinate with the USFWS to gain any required permits for temporary easements, and if a permit is not feasible, determine the next course of action. The USFWS will review plans and specifications to determine if a Compatibility Determination may be required.

Section 4(f) Evaluation

The proposed improvements would not adversely affect the activities, features and attributes that qualify Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area property for protection under Section 4(f). FHWA has made a *de minimis* impact determination for the Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area property. WisDOT presented the proposed *de minimis* impact at the Jan. 30-31 and Feb. 1, 2024, public involvement meetings and at the July and August 2024 public hearings on the Draft EIS, after which USFWS, the official with jurisdiction, concurred on the *de minimis* finding on September 16, 2024, see Appendix P.

Pine Island State Wildlife Area

Proposed Action

In the vicinity of Pine Island State Wildlife Area, both freeway modernization alternatives (Modernization Plus Added General-Purpose Lane and Modernization Hybrid) would widen I-90/94 from 4 lanes to 6 lanes by adding a general-purpose lane in each direction in the median. I-90/94 would be raised about 3 feet in the vicinity of the WIS 33 Interchange to minimize flooding that has caused road closures. I-39 would remain 4 lanes but would also be raised about 3 to 4 feet to minimize flooding that has caused road closures. The WIS 33/I-39 Interchange would be reconfigured from a partial cloverleaf interchange to a diamond interchange.

While the two new general-purpose lanes would be added to the median, construction activities would require approximately 6.4 acres of temporary easement on the Pine Island State Wildlife Area property next to I-90/94, see Figure 4-57 and insets A through D in Figure 4-58. Some of these areas are within the dog trial and training area, and while they would be temporarily unavailable for dog trial and training, they are small and not expected to preclude regular dog trial and training operations. Raising the elevation of I-90/94 would increase water surface elevation up to 0.25 feet in the vicinity of the property office and in the dog trial and training area during a 100-year flood event. The raised flood elevation would also impact one to three WDNR buildings. WisDOT, in coordination with WDNR may determine impacted buildings could be moved, protected with earth berms or raised to avoid flood impacts. To mitigate temporary construction impacts, WisDOT will restore disturbed areas to a condition which is at least as good as that which existed prior to construction. In consultation with WDNR, WisDOT will restore habitat with seed mixes and vegetation that WDNR specifies. WisDOT will coordinate with WDNR to identify local roads accessing the park that may be closed during construction and install temporary detour signage on WisDOT highways to an alternate park access.

Figure 4-57: Impacts to Pine Island State Wildlife Area Overview Map



Source: Wisconsin Department of Natural Resources

Figure 4-58: Impacts to Pine Island State Wildlife Area Detail Maps

Source: Wisconsin Department of Natural Resources

Along I-39, construction activities would require approximately 0.9 acres of temporary easement, and 2.5 acres of new right of way to accommodate the reconfigured northbound entrance ramp from WIS 33 to I-39 and southbound exit ramp from I-39 to WIS 33, see Inset E in Figure 4-58. Raising the elevation of I-90/94 and I-39 and lengthening the existing I-39 bridge over the Baraboo River by 500 feet would change the water surface elevation on the east side of the property during a 100-year flood event. On the west side of I-39, the water surface elevation would rise up to 1.0 foot and on the east side of I-39 it would decrease up to 0.5 feet. See Section 3.13 (Floodplains) for more discussion.

The proposed improvements to I-90/94 and I-39 are along the existing road alignment thereby minimizing encroachment onto the Pine Island State Wildlife Area property. Additional efforts will be made in the engineering design phase to further minimize encroachment on this property. WisDOT will review anticipated hydrological impacts with WDNR during final design and coordination with the Federal Emergency Management Agency. No long term negative impacts are anticipated to lands encumbered with federal or state funding requirements. If a design change causes a long term impact to occur (e.g., for use of or access to lands for the purposes for which they were acquired or developed), the impact will be discussed with WDNR and may need to be mitigated by WisDOT.

Pittman Robertson funds, as well as funds from the North American Wetlands Conservation Act, were used to purchase property in Pine Island State Wildlife Area that would be permanently acquired for the proposed

improvements. WisDOT will work with WDNR on any special land acquisition procedures and mitigation that may be required.

Section 4(f) Evaluation

The proposed improvements would not adversely affect the activities, features and attributes that qualify Pine Island State Wildlife Area for protection under Section 4(f). FHWA has made a *de minimis* impact determination for the Pine Island State Wildlife Area. WisDOT presented a proposed *de minimis* impact at the Jan. 30-31 and Feb. 1, 2024, public involvement meetings and at the July and August 2024 public hearings on the Draft EIS, after which WDNR, the official with jurisdiction, concurred on the *de minimis* finding on October 14, 2024, see Appendix P.

Mirror Lake State Park

Proposed Action

In the vicinity of Mirror Lake State Park, both freeway modernization alternatives (Modernization Plus Added General-Purpose Lane and Modernization Hybrid) would widen I-90/94 from 4 lanes to 6 lanes by adding a general-purpose lane in each direction. While the two new general-purpose lanes would be added to the median, construction activities require approximately 1.0 acre of temporary easement in Mirror Lake State Park property next to I-90/94, see Figure 4-59. To mitigate temporary construction impacts, WisDOT will restore disturbed areas to a condition which is at least as good as that which existed prior to construction. In consultation with WDNR, WisDOT will restore habitat with seed mixes and vegetation that WDNR specifies. WisDOT will coordinate with WDNR to identify local roads accessing the park that may be closed during construction and install temporary detour signage on WisDOT highways to an alternate park access.

Figure 4-59: Impacts to Mirror Lake State Park

Source: Wisconsin Department of Natural Resources

The proposed improvements to I-90/94 are along the existing alignment thereby minimizing encroachment onto the Mirror Lake State Park property. Additional efforts will be made in the engineering design phase to further minimize encroachment on this property.

The bridges carrying I-90/94 over Mirror Lake would be replaced and would accommodate the two additional general-purpose lanes. WisDOT anticipates constructing the bridge from within the existing Interstate right of way, avoiding the need to use Mirror Lake State Park property for bridge construction activities. WisDOT would coordinate with WDNR to identify a bridge type that is compatible with the park aesthetic.

Section 4(f) Evaluation

FHWA has made a determination that the temporary easement in Mirror Lake State Park property during construction of the proposed improvements meets the temporary occupancy criteria under 23 CFR 774.13(d) and is therefore not considered a use of Section 4(f) property, see Section 4.1. WisDOT presented the proposed temporary easement in Mirror Lake State Park property at the July and August 2024 public hearings on the Draft EIS, after which WDNR, the official with jurisdiction, concurred on the temporary occupancy finding on October 14, 2024, see Appendix P.

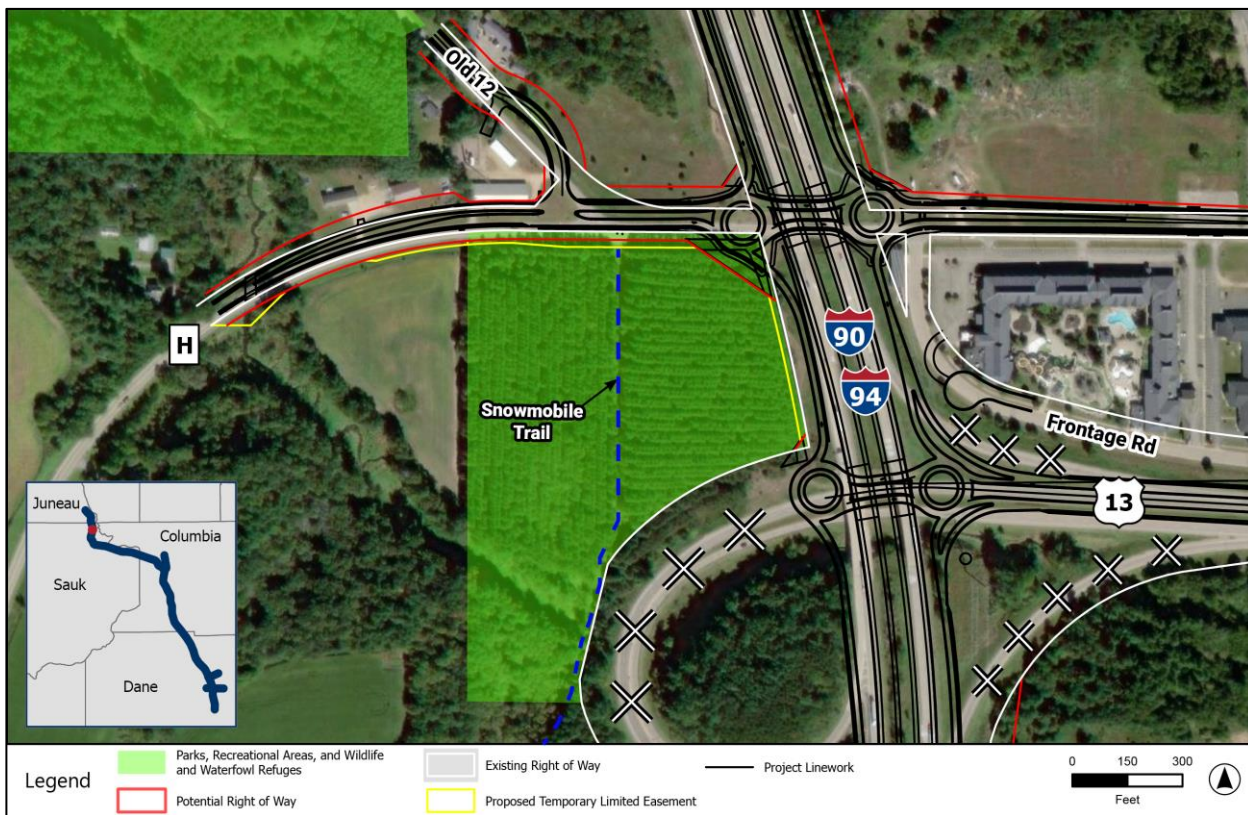
Hulburt Creek Fishery Area

Proposed Action

In the vicinity of Hulburt Creek Fishery Area, both freeway modernization alternatives (Modernization Plus Added General-Purpose Lane and Modernization Hybrid) would widen I-90/94 from 4 lanes to 6 lanes by adding a general-purpose lane in each direction. WisDOT would reconfigure the WIS 13 interchange as either a split diamond or a trumpet configuration. The Split Diamond interchange alternative at WIS 13 would reconfigure the existing interchange from a trumpet to a split diamond, splitting interchange access between WIS 13 and County H with frontage roads connecting the two streets. County H would be widened to include a barrier median, curb and gutter, and sidewalk on both sides of the street. The intersections between the new frontage roads and WIS 13 and County H would be roundabouts. The Trumpet interchange alternative would reconstruct the existing interchange similar to its existing configuration, but the ramps would be rebuilt to modern design standards.

The Split Diamond interchange alternative would require about 0.4 acre of temporary easement and about 0.8 acre of new right of way along the northern edge and southeastern corner of Hulburt Creek Fishery Area. The only recreational feature in the fishery area near the Split Diamond interchange alternative is the snowmobile trail off County H. It is assumed that construction would occur outside of snowmobiling season, thereby avoiding impacts to snowmobile access to the trail. The trail access would remain after construction, see Figure 4-60.

Figure 4-60: Split Diamond Interchange Alternative Impacts to Hulburt Creek Fishery Area



Source: Wisconsin Department of Natural Resources

The Trumpet interchange alternative would acquire about 0.1 acre of temporary easement along the eastern edge of Hulburt Creek Fishery Area. There are no recreational features where property would be acquired for this alternative, see Figure 4-61. The culvert conveying Hulburt Creek under the ramps would be replaced, but work would be within existing WisDOT right of way and not encroach into the fishery.

The proposed improvements to I-90/94 under both interchange alternatives and County H under the Split Diamond interchange alternative are along the existing road alignment thereby minimizing encroachment onto the Hulburt Creek Fishery Area property. The County H widening under the Split Diamond interchange alternative would be as close to the private properties on the north side of the road without causing displacements, thereby minimizing land needed from Hulburt Creek Fishery Area. To mitigate temporary construction impacts under either alternative, WisDOT will restore disturbed areas to a condition which is at least as good as that which existed prior to construction. In consultation with WDNR, WisDOT will restore habitat with seed mixes and vegetation that WDNR specifies. WisDOT will coordinate with WDNR to identify local roads accessing the fishery area that may be closed during construction and install temporary detour signage on WisDOT highways to an alternate fishery area access.

Figure 4-61: Trumpet Interchange Alternative Impacts to Hulburt Creek Fishery Area



Source: Wisconsin Department of Natural Resources

Land and Water Conservation Act funds were used at Hulburt Creek Fishery Area qualifying the property for protections under Section 6(f) of the Act. Permanent acquisition of Section 6(f) land requires replacement land of

equal or greater value. WisDOT did not select the Split Diamond alternative as the preferred alternative and as such is not required to transfer replacement land to WDNR as mitigation.

Section 4(f) Evaluation

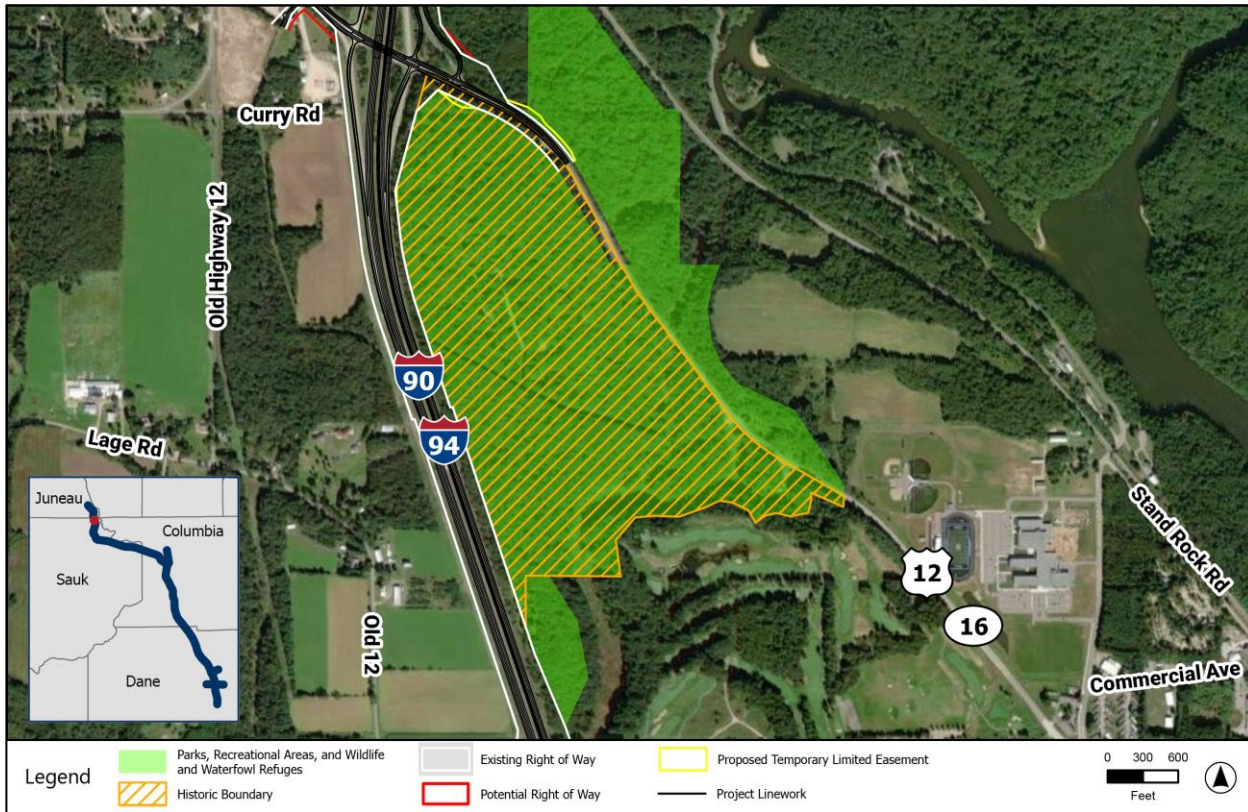
FHWA has also made a determination that the temporary easement in Hulburt Creek Fishery Area property during construction of the Trumpet interchange alternative meets the temporary occupancy criteria under 23 CFR 774.13(d) and is therefore not considered a use of Section 4(f) property, see Section 4.1.

WisDOT presented the proposed impacts under both interchange alternatives at the Jan. 30-31 and Feb. 1, 2024, public involvement meetings and at the July and August 2024 public hearings on the Draft EIS, after which WisDOT identified the Trumpet interchange as the preferred alternative and WDNR, the official with jurisdiction concurred on the temporary occupancy finding on October 14, 2024, see Appendix P.

Rocky Arbor State Park

Proposed Action

In the vicinity of Rocky Arbor State Park, both freeway modernization alternatives (Modernization Plus Added General-Purpose Lane and Modernization Hybrid) would widen I-90/94 from 4 lanes to 6 lanes by adding a general-purpose lane in each direction. The Diamond interchange alternative for US 12/WIS 16 would retain the existing diamond configuration but would increase the lengths of the entrance and exit ramps and improve ramp alignments to provide better line of sight. US 12/WIS 16 would be reconstructed to include a divided median for protected left turns. Construction activities would require about 0.8 acre of temporary easement (some within the historic boundary) from the park, see Figure 4-62. No built recreational features qualifying Rocky Arbor State Park for protection under Section 4(f) are in the areas that would be temporarily required during construction. Additionally, none of the park's historic resources are in the temporary easement. SHPO concurred with the Determination of No Adverse Effect on Feb. 13, 2024, see Appendix I. The proposed improvements to I-90/94 and the US 12/WIS 16 Interchange are along the existing road alignment thereby minimizing encroachment onto the Rocky Arbor State Park property and historic boundary. Additional efforts will be made in the engineering design phase to further minimize encroachment on this property and historic boundary. To mitigate temporary construction impacts, WisDOT will restore disturbed areas to a condition which is at least as good as that which existed prior to construction. In consultation with WDNR, WisDOT will restore habitat with seed mixes and vegetation that WDNR specifies. WisDOT will coordinate with WDNR to identify local roads accessing the park that may be closed during construction and install temporary detour signage on WisDOT highways to an alternate park access.

Figure 4-62: Impacts to Rocky Arbor State Park

Source: Wisconsin Department of Natural Resources

Section 4(f) Evaluation

FHWA has made a determination that the temporary easement in Rocky Arbor State Park property during construction of the proposed improvements meets the temporary occupancy criteria under 23 CFR 774.13(d) and is therefore not considered a use of Section 4(f) property, see Section 4.1. WisDOT presented the proposed temporary easement in Rocky Arbor State Park property at the July and August 2024 public hearings on the Draft EIS, after which WDNR, the official with jurisdiction, concurred on the temporary occupancy finding on October 14, 2024, see Appendix P.

4.5. Coordination

On June 14, 2023, SHPO concurred with WisDOT's determination that the Rocky Arbor State Park is eligible for the NRHP. SHPO concurred with the Determination of No Adverse Effect on Feb. 13, 2024, see Appendix I.

WisDOT initiated and continues coordination regarding activities on properties and obtain input on preliminary Section 4(f) findings. Coordination efforts are summarized below.

- o On June 30, 2022, WisDOT met with USFWS to introduce the project and gather information on the boundary and uses of the Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area. USFWS also provided information on the special funding sources used at the site.

- o On Feb. 22, 2023, WisDOT met with WDNR to present proposed improvements relative to Glacial Drumlin Trail and summarize impact minimization measures. Additionally, WisDOT and WDNR discussed obtaining a *Permit to Work on Highway Right of Way* to make connections on either side of the Interstate, ownership and maintenance of the trail, and potential effects on the corridor.
- o On May 18, 2023, WisDOT met with WDNR to present the build alternatives relative to Mirror Lake State Park and Rocky Arbor State Park and understand how they may affect usage of these properties. Additionally, WisDOT and WDNR discussed challenges with reconstructing the Mirror Lake bridge from a barge brought to the site through Mirror Lake State Park. WisDOT subsequently determined bridge construction would occur from the top of the bridge, which avoids disruptions to park activities.
- o On Aug. 30, 2023, WisDOT met with WDNR to obtain feedback on the proposed improvements affecting WDNR properties and preliminary Section 4(f) determinations. WisDOT and WDNR discussed using the remaining WIS 13 Interchange area, after construction, as replacement property for Section 6(f) properties WisDOT would need to acquire. This area has similar habitat to Hulburt Creek Fishery Area as well as a segment of Hulburt Creek and is large enough to compensate for land acquired from multiple WDNR properties. WisDOT also proposed a *de minimis* use of the impacted properties.
- o On Dec. 6, 2023, WisDOT met with USFWS to present design options to minimize flooding that has caused road closures on I-90/94 and I-39 and property needed, temporarily and permanently, from Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area. WisDOT and USFWS discussed how the surface water elevation changes and property needs would affect operations at the Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area. WisDOT apprised USFWS that FHWA will likely make a *de minimis* impact determination for the project's anticipated impacts to Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area. USFWS also noted that activity within the property **may** require USFWS to prepare a Compatibility Determination.
- o On Jan. 18, 2024, WisDOT met with WDNR to present updated alternatives and impact information at WDNR properties. WisDOT requested information on funding sources and mitigation requirements at Pine Island State Wildlife Area.
- o On Jan. 24, 2024, WisDOT met with WDNR to present design options to minimize flooding that has caused road closures on I-90/94 and how these options would change surface water elevation at the Pine Island State Wildlife Area.
- o On Jan. 30, 31 and Feb. 1, 2024, WisDOT held public involvement meetings which included displays showing anticipated impacts to Section 4(f) properties and preliminary Section 4(f) findings.
- o On July 15, 2024, WisDOT met with USFWS to further discuss proposed design elements that would minimize flooding that has caused road closures on I-90/94 and I-39 and impacts to the Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area. WisDOT provided additional flood study data.

4.6. Conclusion

The proposed improvements would require land, temporarily or permanently, from six parks, recreational areas, and wildlife and waterfowl refuges considered Section 4(f) properties. Table 4-1 summarizes these impacts and FHWA's Section 4(f) determinations. Unless noted in the table, impacts are the same for all build alternatives.

Table 4-2 identifies special funding sources used at impacted Section 4(f) properties. Impacts to Section 6(f) properties are temporary during construction and no land is acquired and converted from Section 6(f) uses.

Table 4-1: Summary of Impacts to Section 4(f) Properties and Determinations

Section 4(f) Property	Official With Jurisdiction	Alternative	Potential Impact	Section 4(f) Determination	Special Funding Sources
Glacial Drumlin State Trail	WDNR	Modernization Plus Added General-Purpose Lane (Preferred Alternative) Modernization Hybrid	Temporary closure	<i>De minimis</i>	Knowles-Nelson
Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area	USFWS	Modernization Plus Added General-Purpose Lane (Preferred Alternative) Modernization Hybrid	0.3 acre (temporary)	<i>De minimis</i>	Duck Stamp
Pine Island State Wildlife Area	WDNR	Modernization Plus Added General-Purpose Lane (Preferred Alternative) Modernization Hybrid	6.4 acres (temporary along I-90/94) 0.9 acres (temporary along I-39) 2.5 acres (permanent)	<i>De minimis</i>	Pittman Robertson North American Wetlands Conservation Act
Mirror Lake State Park	WDNR	Modernization Plus Added General-Purpose Lane (Preferred Alternative) Modernization Hybrid	1.0 acre (temporary)	Temporary Occupancy Exception	LWCF
Hulburt Creek Fishery Area	WDNR	WIS 13 Split Diamond	0.4 acres (temporary) 0.8 acres (permanent)	<i>De minimis</i>	LWCF
		WIS 13 Trumpet (Preferred Alternative)	0.1 acres (temporary)	Temporary Occupancy Exception	LWCF
Rocky Arbor State Park	WDNR	US 12/WIS 16 Diamond (Preferred Alternative)	0.8 acre (temporary)	Temporary Occupancy Exception	LWCF

Table 4-2: Special Funding Sources used at Section 4(f) Properties Temporarily or Permanently Impacted by the Project

Property Name	LWCF	Knowles-Nelson Stewardship	Pittman-Robertson	Duck Stamp	North American Wetlands Conservation Act
Glacial Drumlin State Trail		X			
Baraboo River Waterfowl Production Area and Baraboo River Floodplain Forest (No. 212) State Natural Area				X	
Pine Island Wildlife Area			X		X
Mirror Lake State Park	X				
Hulbert Creek Fishery Area	X				
Rocky Arbor State Park	X				