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6. Public Involvement and Agency Coordination Following Draft EIS Availability and Public Hearing

This section summarizes public involvement, agency coordination and other stakeholder coordination that occurred after the Draft EIS was made available to the public for review and after public hearings were held for the I-39/90/94 Corridor Study. Section 6 summarizes the comments received during the Draft EIS availability period and provides responses to the most common substantive statements and questions submitted during the public availability period.

WisDOT offered opportunities for citizens, Native American Tribes, local governments and state and federal review agencies to review and comment on the Draft EIS. The public involvement process was open to all residents and population groups along the study corridor and did not exclude any persons due to income, race, national origin, sex, age, religion or handicap.

WisDOT and FHWA were inclusive during the study phase by developing and implementing a diverse and multi-faceted public involvement program. The study team met with individual residents, neighborhood groups, business leaders, professional organizations, institutions and many others throughout the study. The meetings were scheduled to coincide with the stakeholder's availability and timing requests.

6.1. Public Hearing

WisDOT published the Draft EIS for availability and comment and held public hearings on the Draft EIS. The U.S. Environmental Protection Agency (USEPA) published a Notice of Availability for the Draft EIS in the *Federal Register* on June 28, 2024, and provided a 45-day comment period to end on August 12, 2024. WisDOT held three public hearings during the availability period. A virtual hearing was held on July 29, 2024, and two in-person hearings were held on July 30 and August 1, 2024.

The virtual hearing on July 29, 2024, was held from 5 p.m. to 7 p.m. Members of the public were able to log in to view the hearing presentation and submit testimony online. A phone number was also available for members of the public to listen to the hearing.

The first in-person hearing was held at Madison College on July 30, 2024, between 4 p.m. and 7 p.m. The second in-person hearing was held at Wisconsin Dells High School on August 1, 2024, between 4 p.m. and 7 p.m. Both in-person hearings were a hybrid of the open house and formal hearing formats. Interested persons were encouraged to attend anytime between 4 p.m. and 7 p.m. to review displays and other hearing materials, ask questions and provide testimony. At 5:00 p.m. the hearing chairperson convened the formal portion of the hearing.

Both in-person meeting facilities are compliant with the Americans with Disabilities Act and wheel-chair accessible. If requested, WisDOT also offered to have interpreters available for persons who are deaf or hard of hearing, as well as Spanish- or Hmong-speaking interpreters.

Approximately 168 people signed in at the virtual hearing and 91 people signed in at the two in-person hearings combined, including staff. During the virtual hearing, the study presentation was broadcast. The WisDOT Project Manager was also available via phone and email to answer questions throughout the public hearing. Public testimony could be provided during the online YouTube Live broadcast by calling in to the provided phone line.

Private testimony could also be provided by phone directly to a court reporter. Instructions were also given on how to provide written testimony.

During the in-person public hearings, representatives from WisDOT and the study consultant team were available to review the study alternatives, listen to comments, answer questions and explain procedures for providing testimony. WisDOT real estate staff members were present, as well as staff specializing in noise impacts and flooding impacts. All attendees had three options for providing testimony: public oral testimony to a WisDOT panel and hearing attendees; private oral testimony to court reporters; and written comments through provided forms, email or letters. The comment forms or letters could also be mailed after the public hearing, or comments could be e-mailed to the WisDOT Project Manager. Information on how to submit comments by mail was provided on the comment form, in all notices and on the study website. All forms of testimony were given equal consideration. The comment and written testimony period ended on August 12, 2024.

6.1.1. Advertising and Notice

Along with the Notice of Availability published in the Federal Register on June 28, 2024, WisDOT issued a news release on July 8, 2024, regarding the public hearings. Legal notices ran in the *Wisconsin State Journal* on June 28, 2024 and July 21, 2024. WisDOT also advertised the hearings as display ads in the following newspapers:

- o Wisconsin Dells Events
- o Baraboo News Republic
- o Portage Daily Register
- o The Star (Sun Prairie/DeForest)
- o Lodi/Poynette Press
- o Capitol Times
- o Wisconsin State Journal

On June 20, 2024 WisDOT emailed elected officials, Tribes, agencies, environmental justice organizations and individuals on the study's mail list about the availability of the Draft EIS. WisDOT mailed approximately 38,000 postcards and sent approximately 1,400 emails notifying the elected officials, Tribes, agencies and the public about the hearing. The notifications indicated the notices were filed according to the Wisconsin and National Environmental Policy Acts.

Copies of the Draft EIS were available for inspection and copying at the following locations and from the study's website ([I-39/90/94 Study - Environmental information \(wisconsin.gov\)](https://www.wisconsin.gov/90/94-Study-Environmental-information)).

- o Madison Public Library – Central Library
- o Madison Public Library -Pinney Library
- o Portage Public Library
- o Sun Prairie Public Library
- o WisDOT Bureau of Technical Services
- o Madison Public Library – Hawthorne Library
- o DeForest Area Public Library
- o Kilbourn Public Library (Wisconsin Dells/Lake Delton)
- o WisDOT Southwest Region Office
- o Greater Madison Metropolitan Planning Organization

6.1.2. Exhibits and Materials at the Hearing

WisDOT provided the following exhibits at the hearings:

- o Welcome
- o Verbal Testimony Instructions
- o Environmental Considerations – North and South
- o Study Purpose and Corridor Needs
- o Typical Sections: Modernization Plus Added General-Purpose Lane
- o Mainline Alternatives Comparison
- o Potential New Interchanges: City of Madison Input
- o Potential New Interchanges: Impact Areas
- o Flood Events
- o Mirror Lake Bridges
- o Noise Barrier Effectiveness
- o Written Testimony Instructions
- o Study Summary
- o Existing Corridor Conditions
- o What is Modernization
- o Typical Sections: Modernization Hybrid
- o WisDOT Recommended Mainline Alternative
- o Existing and Potential New Interchanges: Planned City of Madison Land Use
- o Summary of Environmental Impacts
- o Flood Resiliency Measures – Recommended Alternative C4
- o Noise Study Process
- o Roll Plots of Preferred Alternative (Modernization Plus Added General-Purpose Lane (preferred) and preferred interchange alternatives)

WisDOT and other study personnel were stationed at the exhibits. They were available to discuss the study alternatives and answer questions concerning the exhibits and other study-related questions. WisDOT played a pre-recorded video presentation before holding a question-and-answer period. The Draft EIS was also available for viewing. Speaker registration and written testimony comment forms were available at the sign-in table and the speaker registration table outside the public oral comment area, where registered speakers were able to give their testimony in front of the WisDOT panel. A court reporter was available in a private area as an alternative way for attendees to provide oral testimony.

Near the sign-in table, attendees could obtain the following items:

- o Hearing handout packet
- o Project overview handout
- o Section 4(f) handout
- o Brochures:
 - o The Rights of Landowners Under Wisconsin Eminent Domain Law
 - o Wisconsin Relocation Rights – Business
 - o Wisconsin Relocation Rights – Resident
 - o Noise Barriers: What You Should Know

The Hearing handout packet included the following:

- o Welcome and hearing purpose
- o How to provide testimony
- o Project statement
- o Property acquisition/relocation information
- o Hearing exhibits
- o Hearing agenda
- o Study location
- o Impact summary table
- o What happens next
- o Contact information

During the virtual public hearing, the study presentation was broadcast via YouTube Live. Prior to the virtual public hearing, the following materials were made available on the study website:

- o Study presentation
- o Roll plots
- o Project overview handout
- o Exhibits
- o Hearing handout packet
- o Section 4(f) handout

6.2. Summary of Oral and Written Comments Received During the Draft EIS Availability Period

During the Draft EIS availability period, WisDOT received 81 comments from Cooperating and Participating agencies, local officials, interest groups and the public. Comments included both support for and opposition to the preferred Modernization Plus Added General-Purpose Lane alternative, as well as support for and opposition to the proposed new interchanges at Hoepker Road and Milwaukee Street.

About 33 percent of the comments included opinions related to capacity expansion on the Interstate. Approximately 74 percent of the expansion-related comments were in favor of expansion, while 26 percent were against expansion. Of comments received on the proposed new interchanges, 84 percent of the comments that voiced an opinion on Hoepker Road favored a new interchange at Hoepker Road, while 16 percent were opposed. For the new Milwaukee Street interchange, 70 percent of the comments on the subject supported the new interchange and 30 percent were opposed. Regarding the preferred Directional alternative at US 151, approximately 93 percent of the comments that voiced an opinion on this interchange were in favor of the Directional Interchange Alternative.

Comments opposing Interstate capacity expansion cited the following reasons for their opinions:

- o Induces travel demand
- o Adds to greenhouse gas emissions and negative impacts to climate change
- o Negative impacts on wildlife
- o Decreases safety due to weaving through extra lanes
- o Loss of land that could be used for residential/business purposes
- o Expansion leads to more runoff and flooding issues
- o Preference for transit funding instead of freeway funding

Comments supporting Interstate capacity expansion cited the following reasons for their opinions:

- o Improves safety

- o Reduces traffic congestion
- o Provides economic benefits
- o Improves access to local hospitals
- o Reduces flooding risks

Comments opposing a new interchange at Hoepker Road cited the following reasons for their opinions:

- o Increases traffic and negatively impacts local neighborhoods
- o Negative impacts on wildlife
- o Decreases in home values in the area

Comments supporting a new interchange at Hoepker Road cited the following reasons:

- o Relieves traffic congestion along US 151 area
- o Increases driver safety
- o Improves access to health care facilities

Comments opposing a new interchange at Milwaukee Street cited the following reasons for their opinions:

- o Increases traffic and negatively impacts local neighborhoods
- o Interchange would be too close to I-94/WIS 30 Interchange

Many comments supporting a new interchange at Milwaukee Street cited the following reasons:

- o Relieves traffic congestion in the area
- o Improves Interstate access for local residents and businesses

In addition to receiving comments regarding support or opposition to the Preferred Alternative, WisDOT received comments or questions on the following topics:

- o Bike and pedestrian access
- o Noise barriers
- o Designated truck lanes
- o Wildlife crossings
- o Roundabouts
- o Real estate acquisition
- o Flooding
- o Opposition to previous bypass alternative (*note: this alternative was the subject of a prior study and dismissed in this I-39/90/94 Corridor Study*)
- o Construction timeline
- o Cost

Section 6.4 provides responses to the substantive comments received from the public during the Draft EIS availability period.

6.3. Agency and Local Official Comments on the Draft EIS

WisDOT received comments on the Draft EIS from state and federal review agencies and local governments. The comments are summarized below. Full comments and responses to agency comments are in Appendix P.

6.3.1. City of Madison

The city of Madison provided comments and requests as follows:

- o Support for the proposed bicycle/pedestrian accommodations at the US 151/High Crossing Boulevard interchange. The city also requested that the Rattman Neighborhood Development Plan crossing under I-39/90/94 be incorporated into the Preferred Alternative. The city requested WisDOT to incorporate its “All Ages and Abilities” policy for all crossings of the Interstate.
- o Request that WisDOT commit to reanalyzing noise mitigation 10 years after the Record of Decision for relevant newly developed areas.
- o Request that mitigation for greenhouse gas (GHG) emissions be specifically included in the Record of Decision. This request included WisDOT approving elements of the Madison North-South Bus Rapid Transit line project and financially participate in BRT costs for reconstructing Park Street.
- o Request that WisDOT install an appropriate amount of landscaping in the area of the US 151/High Crossing Boulevard and I-94/WIS 30 interchanges.
- o As part of the US 151/High Crossing Interchange reconstruction, request constructing a 3 basic lane typical section on East Washington Avenue in each direction until conditions warrant expansion.
- o Seek to participate in 50 percent of the non-federal share associated with a specific improvement. Request a full 50 percent local cost share from Madison is withholding federal funds for federally eligible project items. This places a 50% match burden on Madison while the state’s local match burden is only 20%.
- o Request that consideration be given to moving construction of the new Milwaukee Street interchange and the reconstruction of the current Milwaukee Street bridge to an earlier date.
- o Request that WisDOT invest in other modes of transportation, in addition to motor vehicle infrastructure.

6.3.2. Greater Madison Metropolitan Planning Organization

The Greater Madison Metropolitan Planning Organization submitted a resolution requesting mitigation for GHG emissions be specifically included in the Commitments to Mitigation incorporated in the Record of Decision; that as part of mitigation WisDOT commit to approving key elements of the N-S BRT on Fish Hatchery Road, Part Street and Packers Avenue; and that WisDOT recognize BRT as a greenhouse gas mitigation measure and financially participate in BRT construction costs at levels commensurate with costs associated with the Park Street reconstruction.

6.3.3. Village of DeForest

The village requested WisDOT to select the County V Diamond alternative in case the large development and private funding of the interchange reconstruction does not move forward. The village wants to continue working with WisDOT regarding future development and funding solution at the interchange.

6.3.4. City of Wisconsin Dells

The city stated its alternative preferences at two interchanges. The city voiced a preference for the Split Diamond Alternative at the WIS 13 Interchange and for the Diamond Alternative at the US 12/WIS 16 Interchange.

6.3.5. Village of Windsor

The village of Windsor submitted comments in support of the Modernization Hybrid or Modernization Plus Added General-Purpose Lane, as long as one lane is dedicated to truck traffic. The village also voiced support for the U-Ramp Alternative at the WIS 19 Interchange. The village reiterated their objection to any bypass alternative that may be developed through their community. (*Note: The bypass alternative was part of a prior study and formally dismissed during the Draft EIS alternatives analysis*).

6.3.6. US Army Corps of Engineers

The USACE sent an email stating they had completed a review of the Draft EIS and had no comments.

6.3.7. US Department of the Interior

The USDOl concurred that there are no adverse effects to Section 4(f) properties. The USDOl also recommended, “WisDOT and FHWA continue coordination with all consulting parties and that planning continues to assess all possible options to minimize harm to Section 4(f) properties from such use.” In addition, the USDOl confirmed that the Mirror Lake State Park, Hulbert Creek Fishery Area and Rocky Arbor State Park continue to be encumbered under Section 6(f). The USDOl recommends continued coordination with the WDNR.

6.3.8. US Environmental Protection Agency

The USEPA submitted detailed comments with a number of recommendations for the Final EIS. WisDOT incorporated suggested revisions in the Final EIS as appropriate. Comment topics are summarized below.

1. Environmental Justice

- A. Executive Order 14096: Revitalizing Our Nation’s Commitment to Environmental Justice for All. USEPA provided recommendations to mitigate unavoidable effects to underserved communities with input from impacted communities.
- B. Gentrification. USEPA provided recommendations to explore mitigation measures to reduce the possibility of gentrification.

2. Relocations

- A. Residential relocations. USEPA provided recommendations to adhere to latest revisions to the Uniform Relocation Act and implement suggested communications and outreach strategies.
- B. Availability of replacement housing. USEPA provided recommendations on details to include in the Final EIS.
- C. Measures to minimize harm. USEPA provided recommendations to clarify just compensation and benefits available to displaced businesses and residences.

3. Aquatic Resources. USEPA recommended additional detail regarding impacts to aquatic resources.

4. **Air Impacts and Mitigation.** USEPA provided recommendations to commit to measures in its Construction Emission Control Checklist and other measures to minimize impacts at locations where children are present. USEPA also suggested use of vegetative barriers to reduce movement of roadway air pollution into adjacent neighborhoods.
5. **Corridor Resiliency**
 - A. Flood minimization measures. USEPA provided recommendations to discuss flood mitigation for properties outside the regulatory floodplain.
 - B. Continued coordination with impacted property owners. USEPA provided recommendations to clarify efforts involved in continued coordination.
6. **Agricultural Resources**
 - A. Agency coordination and impacts from construction and flood elevation increases. USEPA provided recommendations to discuss impacts of lost participation in fixed length contracts, perpetual easements or voluntary conservation programs. USEPA recommends appointing an individual to serve as agricultural inspector liaison.
 - B. Assistance for impacts of increased flood elevations. USEPA provided recommendations to discuss availability of assistance if increased flood elevations impact yields.
7. **Noise.** USEPA recommended discussing time of day when measurements were taken.
8. **Construction Effects**
 - A. Temporary impacts. USEPA provided recommendations regarding efforts to mitigate impacts of detours for the Ice Age Trail and nighttime construction in residential areas, including communication strategies and establishing haul routes away from where children are present.
 - B. Fill for flood minimization measures. USEPA provided recommendations analyzing impacts obtaining and transporting fill.
 - C. Surveying for hazardous materials. USEPA provided recommendations to survey the Mirror Lake bridge for lead paint.
9. **Energy Efficiency and Environmental Best Practices.** USEPA provided recommendations to include several measures, including permeable pavement on bicycle/pedestrian bridges, additional green stormwater management practices, energy efficiency strategies, and using recycled materials.
10. **Electric Vehicle Infrastructure.** USEPA recommended clarifying if electric vehicle charge station will be included at the WIS 60 or US 12/18 interchanges.
11. **Mitigation**
 - A. Drainage tiles. USEPA recommended WisDOT monitor and mitigate damage to agricultural drain tiles during construction.
 - B. Mitigation contact. USEPA provided recommendations to communicate and ensure WisDOT follows mitigation commitments.
 - C. Restoration of temporarily disturbed areas. USEPA provided recommendations to establish cover crops and restoration goals.
12. **Interagency Coordination.** USEPA recommended WisDOT provide copies of interagency communications, a list of permits and results of final Section 4(f) impact determinations.
13. **Other Comments**

- A. Comments on Draft EIS. USEPA provided recommendations to create appendices of comments received, agency correspondence, and a summary of comments and responses.
- B. CEQ Final Rule on NEPA Implementing Regulations. USEPA recommended FHWA and WisDOT use the updated regulations for Project evaluation.

6.3.9. Wisconsin Department of Natural Resources

1. **Cross Sections**. The WDNR encouraged a description and rationale of how typical cross-sections were selected to be included in the Final EIS. The WDNR encouraged the proposal to include widening of the Interstate into the median, when feasible.
2. **Land Use Impacts**. The WDNR commented that WisDOT is responsible for oversight of erosion control and restoration of any material source sites used for gravel and soil.
3. **Fragmentation of Habitat**. In addition, the WDNR acknowledged that reconstructing the facility on the existing alignment minimizes additional impacts to important environmental corridors but added that the study should explore any opportunities to reconnect wildlife corridors.
4. **Stormwater**. The WDNR stated WisDOT would be required to determine whether any part of the construction or post-construction site storm water would discharge into an impaired water body or exceed total maximum daily load limits. In that scenario, WisDOT would be required to take appropriate action to remedy.
5. **Wetlands**. The WDNR stated that additional wetland and habitat reviews may be required during future project planning and design and WisDOT should be prepared to modify design or make minor shifts in alignment to avoid wetland and environmental impacts.
6. **Wetlands**. The WDNR stated WisDOT should evaluate current wetland mitigation banking system capacity and begin planning and preparing for project needs. The WDNR stated WisDOT should be prepared to modify final design plans to minimize impacts and recommended the Final EIS include a discussion of likely temporary wetland impacts and commitments for restoration and mitigation.
7. **Navigation**. The WDNR requested WisDOT coordinate with them on opportunities to improve access on Token Creek for canoeists and other users.
8. **Floodplains and Flood Minimization Study**. The WDNR provided separate comments on the I-39 flood minimization study on September 9, 2024:
 - a. The WDNR requested clarification that, per Federal Emergency Management Agency regulations, an insurable structure doesn't necessarily need to be a business or residence to be insurable.
 - b. The WDNR requested clarification if the Draft EIS includes flood fringe structures in the count of impacted structures.
 - c. The WDNR advised that FEMA will deny a Conditional Letter of Map Revision application if it results in a base flood elevation increase on insurable structures. Purchasing flood easements may still be a necessary step to satisfy local requirements, but may not change FEMA's stance, since the agency is concerned with the increased risk to the structure, and not just the question of landowner permission.
9. **Native seeding**. The WDNR encouraged the use of native seeding and living fences, where possible. WisDOT incorporated suggested revisions in the Final EIS as appropriate.

6.4. Summary of Substantive Questions and Comments Received During the Draft EIS Availability Period

The following is a summary of and responses to substantive comments related to the study's purpose and need, alternatives analysis, and social economic, or environmental impact analysis received during the Draft EIS availability period.

6.4.1. Purpose and Need

What is the data used to project traffic increases?

WisDOT conducted a detailed traffic analysis as part of the environmental study. Appendix K of the Final EIS includes a Traffic Forecasting Methodology that describes forecasts developed using historic, existing and projected future year datasets including traffic counts, housing, employment and transportation system attributes such as number of lanes and facility speeds. WisDOT's traffic forecasting methodology relies on the most recent traffic count and average annual daily traffic volume growth rates estimated through a combination of travel demand model outputs and historical traffic counts. Additional detailed information on traffic forecasting can be found at WisDOT's website: [Wisconsin Department of Transportation Traffic forecasting \(wisconsindot.gov\)](https://wisconsindot.gov/traffic-forecasting).

6.4.2. Alternatives

How is there sufficient demand for travel to justify up to 12 lanes at some sections without considering any alternatives to driving? This study needs to investigate rail and bus alternatives to provide the needed capacity.

As part of this study, WisDOT evaluated the Level of Service (LOS) for the corridor. Level of Service is a measure of a roadway's congestion. It is preferable that Interstates provide LOS C, but LOS D can be acceptable in urban areas, as reflected in policies for desirable LOS on freeways in WisDOT's Facilities Development Manual (FDM). Sections of I-39/90/94 will operate at unacceptable levels of service within 10 years, and most of the corridor will operate unacceptably by 2050 in the absence of improvements. Section 1.4.1 of the Final EIS further explains the traffic demands along the corridor.

All year 2050 traffic forecasts (both for the no build condition and all tested alternatives) were developed with the aid of the Dane County Travel Demand Model (DCTDM). The DCTDM's year 2050 networks include the fiscally constrained set of future transportation improvements defined by the Greater Madison Metropolitan Planning Organization. These improvements include both the East-West Bus Rapid Transit (BRT) and proposed North-South BRT systems.

An additional transit alternative was also tested using the DCTDM where projected bus ridership was doubled and the corresponding person trips were removed from the automobile mode. This doubling of transit ridership reduced traffic on the Interstate between WIS 30 and US 12/18 by just over two percent, resulting in no change to the needed improvements to the Interstate system.

Amtrak currently provides passenger rail service to Portage and Wisconsin Dells with ridership averaging around 15 and 31 daily riders respectively. Madison is not currently directly served by passenger rail service; however, the city of Madison is actively exploring opportunities to begin Amtrak service. No service plans or ridership estimates are currently available for a potential service into and out of Madison, particularly for service between Madison and Portage, which would provide a transportation alternative for the I-39/90/94 corridor.

In addition to the proposed roadway improvements, the Selected Alternative includes bicycle and pedestrian connections for improved connectivity across I-39/90/94. Section 3.2.2 of the Final EIS describes bike and pedestrian facilities included in the Selected Alternative. The Selected Alternative reconstructs bridges and interchanges that would improve connectivity across the Interstate, as well as general mobility and safety for local and intercity buses. The Selected Alternative reconstructs bridges over existing rail corridors and does not preclude existing and future passenger and freight rail service.

Why was the Transportation Demand Management/Transportation Systems Management and Operations Alternative rejected? Dane County has a goal of reducing VMT (Vehicle Miles of Travel) 15% by 2050, how will the proposed plan work toward this goal?

WisDOT completed a detailed traffic analysis as part of the environmental study. The regional travel demand model uses population and economic development trends to determine what improvements will meet the study's purpose and need in the design year of 2050. The Selected Alternative is projected to increase traffic volumes on the I-39/90/94 corridor. However, those trips are diverting primarily from other local roadways to use the more efficient Interstate system. The local roadway system's total traffic demand across Dane County is projected to decrease by 1.5% with the implementation of the Selected Alternative. This reduction occurs most notably along the following corridors: WIS 19, US 51/Stoughton Road, Hanson Road, East Washington Avenue, Cottage Grove Road, Buckeye Road, Reiner Road/Grand Avenue, Nelson Road, County N and County TT. The environmental study determined that the Transportation Demand Management/Transportation Systems Management and Operations (TDM/TSMO) measures do not fully meet the study's purpose and need for addressing safety and operational issues along the corridor as a standalone alternative. Nor would the TDM/TSMO alternative address aging infrastructure and bridges or flooding on the Interstate. However, WisDOT may include TDM/TSMO measures in the Selected Alternative. Some anticipated measures to be included are freeway monitoring and advisory information, crash investigation sites and law enforcement pads, traffic detectors, and enhanced mile marker posts.

WisDOT continues to prioritize providing bicycle and pedestrian connections for improved connectivity across I-39/90/94 by working with local municipalities to create an integrated multi-modal transportation system. The No Build alternative would not provide additional bicycle and pedestrian facilities beyond what currently exists. The local roads and interchanges reconstructed as part of the Selected Alternative would include bicycle and pedestrian accommodations, as appropriate, and in coordination with local county or municipal staff. WisDOT closely coordinated with local governments to capture their desired sidewalk locations.

What is proposed at the County CS interchange bridge that appears recently replaced?

The existing bridge does not currently meet WisDOT's required design standards for the posted 45 mile per hour speed limit. The Selected Alternative includes roundabouts at the ramp terminals, which would slow vehicles enough so that a bridge replacement may not be required. A worst-case-scenario assumed the bridge will require full replacement.

Provide better bike and pedestrian infrastructure.

The Selected Alternative includes several bike and pedestrian facilities in the study corridor. Four multi-use paths are planned along the study corridor and bicycle/pedestrian facilities are proposed on all newly reconstructed overpasses, pending agreements with local municipalities. Municipalities are required to enter into a cost-share agreement to establish or extend sidewalks or multi-use paths, and they are responsible for maintaining these facilities after installation. Specific details on bike and pedestrian facilities being recommended as a part of the Selected Alternative can be found in Section 3.2.2 of the Final EIS.

Request for an on/off ramp located near County Hwy U in Caledonia north of the Wisconsin River bridge.

WisDOT did not evaluate adding new ramps or a new interchange at County Hwy U as part of the I-39/90/94 Corridor Study. WisDOT typically requires that the planning and traffic analysis required for a new interstate access be led and paid for by the requesting municipalities. New partial interchanges do not typically satisfy FHWA's criteria for a new Interstate Highway Access. WisDOT is currently replacing the bridge over the Wisconsin River and the new structure would not accommodate an additional interchange.

Widen Milwaukee Street bridge over I-39/90 for cars and pedestrians.

The existing Milwaukee Street bridge over I-39/90 would be reconstructed to include new bicycle/pedestrian facilities.

Why is WisDOT proposing a new Milwaukee Street interchange over I-94?

The city of Madison requested WisDOT to evaluate a new interchange for a proposed extension of Milwaukee Street at I-94 as recommended in the city's Sprecher Neighborhood Development Plan and the Northeast Neighborhoods Development Plan. The city of Madison sees benefits of providing Interstate access for existing and future residents and employers in the neighborhoods. The city anticipated future access and built Milwaukee Street and nearby Sprecher Road to accommodate traffic using the interchange.

Make more improvements to Hoepker Road, which will experience more traffic with a new interchange.

The limits of Hoepker Road improvements included in the I-39/90/94 Corridor Study are those that are within the influence area of the Hoepker Road interchange ramps. WisDOT will add a traffic signal at the intersection of Hoepker Road and Portage Road to manage traffic demand at the intersection and prevent queues from backing up into the interchange ramps. Any improvements to Hoepker Road outside of the Corridor Study are under local jurisdiction.

6.4.3. Impacts

What measures are being taken to protect wildlife?

WisDOT has consulted with USFWS and WDNR to identify federally listed and state listed threatened and endangered species that may be present within the study corridor. FHWA and WisDOT made determinations of effects for federally-listed species based on all the build alternatives and are summarized in Section 3.15.2 of the Final EIS.

Build alternatives were designed to stay within the existing right of way as much as possible to minimize impacts on potential threatened and endangered species and their habitats along the study corridor. WisDOT includes numerous avoidance and minimization measures in Section 3.15.3 of the Final EIS. The commitments for avoidance and mitigation measures will be included in final design plans and specifications. Section 3.11.3 of the Final EIS also notes during final design, WisDOT will coordinate with WDNR to include aquatic and wildlife passages at stream crossings, including the Yahara River, Rowan Creek and the Baraboo River.

Impacts to state listed species may occur where the build alternatives overlap with suitable species' habitat and will be evaluated in accordance with WDNR guidance once field surveys are conducted during final design and prior to construction. Location specific impacts to state listed species will be determined through consultation with the WDNR. Construction sequencing and implementation of nesting exclusion measures will make it unlikely that any bird species protected under the Migratory Bird Treaty Act of 1918 would be adversely affected by the build alternatives.

Concerns about traffic noise and consideration of noise barriers related to traffic noise, construction and blocking views.

WisDOT completed a noise analysis which identified potential impacts and where a noise barrier would be feasible and reasonable, as well as which properties would benefit from the proposed noise barriers. See Section 3.17 of the Final EIS for more information. Noise barriers become less effective as you move farther from either the noise barrier or the source of the noise and generally provide little benefit from more than 500 feet away. WisDOT is likely to incorporate 12 noise barriers shown as feasible and reasonable in Section 3.17.5 of the Final EIS, pending final design and public involvement.

During final design, WisDOT will complete additional public involvement with benefited receptors in the areas of identified feasible and reasonable noise barriers. As part of the public involvement process, benefited receptors will be able to vote for or against the proposed noise barrier. If a simple majority of all votes cast by the benefited receptors are in favor of the noise barrier, it will be included in construction. To be identified as a benefited receptor, a property must receive a minimum of an 8-decibel noise reduction from the proposed barrier. Only benefited receptors are mailed a ballot.

If final design results in substantial changes in roadway design from modeled conditions, noise abatement measures and the location of feasible and reasonable noise barriers will be reassessed. WisDOT would coordinate with the local municipality to select a barrier design from available options during final design based on community input.

What efforts are being made as part of the stormwater management plan to help avoid flooding on adjacent farmland?

As part of the study's purpose and need, the alternatives include flood minimization measures that would reduce flood risks to the Interstate while minimizing flood risks on adjacent farmland. In accordance with Wis. Stat. s. 88.87, WisDOT would build adequate ditches, culverts and other facilities to prevent obstruction of drainage, protect property owners from damage to lands caused by unreasonable diversion or retention of surface water, and maintain, as nearly as possible, the original drainage flow patterns to ensure stormwater and drainage impacts are appropriately mitigated. In the rare instance where the proposed improvements will impact regulated floodplains in order to reduce flood risk on the Interstate, WisDOT will adhere to Wisconsin Administrative Code NR 116 and its Cooperative Agreement with Wisconsin DNR on Floodplains to address the impacts. This includes following Wis. Admin. Code NR 116 (3) Criteria for Redelineation or Rezoning Floodplain Districts which requires assuring that the appropriate legal arrangements have been made with all property owners affected by increased flood elevations. Finally, WisDOT will adhere to its stormwater management standards, which are governed by Wis. Admin. Code Trans 401 Construction Site Erosion Control and Storm Water Management Procedures for Department Actions.

As required by Wis. Stat. s. 88.67(3), WisDOT will also follow up with local county drainage districts during final design to keep them informed and consult on issues of concern, determine where drainage tiles might be located and determine design and construction measures to maintain drainage patterns. In areas where new right of way is acquired on farm property, WisDOT real estate staff will work with farm owners to identify impacted active and legal drain tiles that require restoration as part of final design and construction. During construction, WisDOT's project manager will oversee contact with landowners to address unanticipated impacts to active and legal drain tiles in areas of newly acquired right of way. WisDOT will also continue coordination with the impacted property owners within the regulatory floodplain to determine acquisition, relocating or elevating structures outside the 100-year flood elevation, floodproofing structures or purchasing a flood easement. WisDOT will mitigate impacts

of flood elevation rises outside the regulatory floodplain, such as the buying of easements, to the limits allowable under Wis. Stat. s. 86.255 and consistent with 23 CFR 650 Subpart A.

Does this study consider carbon emissions and the impact on climate change?

WisDOT completed an analysis of greenhouse gas emissions and climate change, see Appendix F of the Final EIS. The annualized and cumulative GHG emissions over the period of 2030 to 2060 were evaluated. The GHG emissions of the build alternatives would be 4.7% higher than the No Build alternative due to the increased vehicle miles traveled (VMT) from the additional lanes constructed. Section 3.18.5 of the Final EIS includes a number of commitments to minimize the impact of GHG emissions during construction such as planting stormwater trees, using LED bulbs in new lighting, continuing coordination with the city of Madison and Madison Metro Transit to support transit service implementation and minimize service disruption during construction, and construction of bicycle and pedestrian facilities.

Is land going to be acquired for this project?

WisDOT developed the Selected Alternative to stay within the existing right of way as much as possible to minimize the impact on adjacent properties. Along the 67-mile study corridor, the Selected Alternative could convert up to 225 acres of residential, commercial and other land uses to highway right of way. Additional right of way would include acquiring and relocating one residence, a hotel maintenance building and the Dane County Highway Maintenance building. The Selected Alternative includes flood minimization measures near the I-39 I-90/94 Split Interchange that may relocate or floodproof residences, businesses, support buildings and structures, as well as buildings in the Baraboo River Waterfowl Production Area and the Pine Island Wildlife Area. WisDOT may also purchase flood easements from property owners impacted by flood minimization measures.

Any property acquisition would be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. 4601-4655 (Uniform Act). In addition to providing just compensation for property acquired, additional benefits are available to displaced residences and businesses, including relocation advisory services, reimbursement of moving expenses and downpayment assistance.

WisDOT will continue coordination with impacted property owners within the regulatory floodplain to determine acquisition or other mitigation measures such as floodproofing structures or purchasing of flood easements. WisDOT will mitigate impacts of flood elevation rises outside the regulatory floodplain through the buying of easements to the limits allowable under Wis. Stat. s. 86.255.

How soon can this project start?

The I-39/90/94 Corridor Study would be considered for funding enumeration by the legislative Transportation Projects Commission (TPC) in December 2024 along with any other statewide major transportation projects. If this study is enumerated by the TPC, it will proceed to final design. The earliest construction would likely start around 2030.

Concerns about the cost of the project

Sections 3.24.1 and 3.24.2 of the Final EIS discusses construction cost and operations and maintenance costs. While construction costs of the Selected Alternative are higher than the No Build alternative, the No Build alternative does not address study purpose and needs. Maintenance costs under the Selected Alternative would be less than the No Build alternative because pavement, bridges and structures would be new.

Upon completion of the study, WisDOT will present this project to the TPC. If the TPC approves WisDOT's recommendation to advance this project, it will be included in a list of major highway projects submitted to the

governor and state legislature. While the project will be accompanied by the TPC’s recommended funding level, the legislature has the authority to adjust funding levels or modify the project list via the state budget process.

6.5. Additional Public Outreach During the Draft EIS Availability Period

After the Draft EIS was approved in June 2024, WisDOT continued meeting with environmental justice populations during the public review period for the Draft EIS. The public review period ended on August 12, 2024. Table 6-1 summarizes in-person meetings and event outreach by the WisDOT Public Involvement team to foster study participation among environmental justice populations and stakeholders.

Table 6-1: Summary of Outreach Efforts to Environmental Justice Populations During Draft EIS Review Period

| Meeting/Event/Outreach | Date | Discussion Topics |
|--|---------------|---|
| Madison Night Market | June 13, 2024 | Project staff attended the local event to meet with community members and discuss the study and upcoming public hearing. The project booth featured informational handouts about the project. |
| Juneteenth Celebration at Penn Park, Madison | June 15, 2024 | Project staff attended the local event to meet with community members and discuss the study and upcoming public hearing. The project booth featured informational handouts about the project. |
| Baraboo Juneteenth | June 19, 2024 | Project staff attended the local community event to meet with community members and discuss the study and upcoming public hearing. The project booth featured exhibits including the study timeline and northern section map. Project Overview sheets and I-39/90/94 Corridor Study Demographic Survey forms in English and Spanish were available for attendees to read and fill out. |
| Monona Community Festival | July 4, 2024 | Project staff attended the local event to meet with community members and discuss the study. The project booth featured informational handouts about the project. Information about the public hearing was provided. |
| Bodega at Breese Stevens Field | July 21, 2024 | Project staff attended the local community concert to meet with community members and discuss the study. An exhibit board was displayed showing the study area. A handout was also available. Project Overview sheets and I-39/90/94 Corridor Study Demographic Survey forms in English and Spanish were available for attendees to read and fill out. Information about the public hearing was provided. |