

ID 1440-13/15-00
Wisconsin State Highway 23
Fond du Lac to Plymouth
Fond du Lac and Sheboygan Counties, Wisconsin
Re-evaluation
Strand Responses WisDOT Comments on the March 12, 2019 Draft

Review Meeting Attendance:

Bryan Lipke - WisDOT NE Region

Kathie VanPrice - WisDOT NE Region

Robert Wagner - WisDOT NE Region

Eric Danke - WisDOT NE Region

Jennifer Kobryn - Strand Associates, Inc.

WisDOT comments under the specified document heading are shown below. The Strand Associates (Strand) responses are shown in red font.

3. Proposed Action

Why wouldn't you have a different Exhibit that shows the termini we are looking at for these design changes as indicated in Item 3?

Response: We revised this to reference Exhibit 2 which shows the design refinement locations.

This is description of the termini is not needed.

Response: Removed.

I believe FHWA expects this to be a re-eval of the entire corridor

Response: See Note Below

Kathie's comment about the re-evaluation focusing on the whole project is correct, but it is acceptable for them to discuss what this re-evaluation is focusing on in the manner they have done.

There should just be another sentence that indicates there are no other changes throughout the remaining portions of the project that don't have design modifications and that the documentation in the LS SFEIS/ROD remains applicable for those portions.

-Comment in follow-up from Jay after viewing Kathie's comments.

Response: Left the text the same, but added the following statements: "There are no other changes throughout the remaining portions of the project. The documentation in the LS SFEIS/ROD remains applicable for those portions."

s

Response: Added

can we say while there have not been any changes to the design, this review....?

Response: Sentence changed to "While there have not been any major changes to the design, the slope intercept and right of way modifications...."

Ultimately we will have less ROW. Statement seems misleading.

Response: Added "reduction of land needing to be converted to highway right of way" to be clear that it is not considering excess land.

and labeled as "R/W No Longer Needed"

Response: Added

not sure what the rules are, but it would sure be nice to have a picture of the specific design refinement by its description

Response: The Re-evaluation is a locked form; we can't add graphics or tables into a locked form.

Design Refinement 1- Remove Backage Road

Will not have access to WIS 23 in the after, but will have access from County UU

Response: Changed to "...currently owned by a farmer who will have access to County UU..."

This paragraph was confusing to me. I had to read a few times before I understood the intent. It may be clearer to modify the third sentence as suggested below:

With the proposed change, there would be no right away needed from one of the properties and XX acres right of way from the other. However, loss of access at the second parcel would require total buy out of the entire parcel. Because only a fraction of the parcel would be needed for the project, the remainder would be sold as excess right of way.

Response: Paragraph was changed to reference just the two agricultural parcels (not including Rawhide since it is mentioned as a relocation). The wording and impacts were updated.

Is one of the agricultural parcels Rawhide? Is this the business relocation mentioned in the above sentence? Does this need to be clarified?

Response: Rawhide, Inc. is considered a business so it was removed from the agricultural parcel description.

Do we need to add the acreage for comparison or note that it's in a display or exhibit.

Response: This statement has been removed.

Design Refinement 2a - Relocation/Buyout Due to Access Impacts

remove personally identifiable info

Response: Done.

Proposed driveway grade

Response: Changed.

Should be proposed or current design. The way it's worded gives the impression that the existing driveway is 10%.

Response: Changed to proposed.

status of acquisition? Instead of saying it is needed, do we want to say we will offer relocation to the property owner?

Response: No change after review meeting.

Design Refinement 2b - Relocation/Buyout Due to Access Impacts

There are buildings on the property, they are just not occupied.

Response: Statement removed. There are buildings on the property.

I don't believe this is a true statement

Response: Statement removed. There are buildings on the property.

Worded oddly. Maybe, "The Birschbach house is located on the hill and will be impacted with the construction of the new WIS 23 WB lanes."

Response: Removed personally identifiable information. Revised text.

I don't believe this is really that big a benefit that it needs to be mentioned. Leave it in if you want, but it looks to me like we are reaching for another reason that isn't needed.

Response: Removed.

I don't think the increase is significant enough to drastically improve safety

Response: Removed.

Design Refinement 4 - Move Park and Ride Location

did you want to indent the bulleted points?

Response: We added some spaces before the bullet points. We cannot format to "indent" the bullets.

Indent

Response: We added some spaces before the bullet points. We cannot format to "indent" the bullets.

Should these be indented?

Response: We added some spaces before the bullet points. We cannot format to "indent" the bullets.

Not entirely consistent with the discussion in Design Refinement 12, which indicates the decision to move the trail occurred prior to the decision to remove the backage road.

Response: Removed "when the backage road was eliminated." Also removed reference to Design Refinement 1 and added Design Refinement 12.

also reference Design Refinement 12

Response: Added.

I think you should insert "moving" here.

Response: Added.

Design Refinement 5 - Relocate Intersection of Access Road to County UU

Why is all this extra right of way shown on Exhibit 2 needed for this minor access road? It wasn't needed before with the access road. You need to explain the required change here.

Response: Added explanation at end of the paragraph about the need to add a network of ponds to match the existing drainage conditions.

Design Refinement 6 - Shift Intersection of Connector Road and Whispering Springs Drive

Why are margins different from preceding page?

Response: Will format as much as possible with the locked form.

Design Refinement 8 - Shift Cul-de-sac for Access Road

Insert "proposed."

Response: Added.

Design Refinement 9 - Add North Leg to Roundabout

"Increasing safety" how?

Response: Provided more discussion on the possible safety improvement of having one controlled access instead of three uncontrolled access points on WIS 23.

WIS 23.

Response: Changed.

Revise to sentence, and explain why it is a benefit

Response: Revised sentence to

"These properties also have three deeded access points that will be removed from WIS 23 with the addition of the north leg of the roundabout. Providing access from one controlled access point could improve the safety by only allowing vehicles to enter and exit WIS 23 at one location instead of at three uncontrolled access point locations."

Design Refinement 10 - Revise Profile Grades Along WIS 23

Any increase in posted speed limits from the original LS SFEIS you should tell them about here too? I think so.

Response: Added posted speeds after the design speeds.

The 60 mph design speed is between County K and County UU.

Response: Updated.

The design speed increased to 60 between K and UU, 70 after UU

Response: Updated description for 60 mph between County K and County UU and noted 70 mph east of County UU.

would it be more accurate to say additional impacts?

Response: Added.

In some sections you talk about the benefits a design refinement brings like removing access, pedestrian safety by installing barrier etc

Does Strand and others agree that with the increase in design speed there will be improvements to travel time, as one of our projects purpose and need criteria, between CTH K and CTH UU.

Response: After discussions during the comment review it was determined that no information would be added about travel time.

Were there any individual properties that did increase? Do we want to say overall property impacts...?

Response: Added "overall"

Design Refinement 11 - Include Barrier Wall Between Trail and WIS 23

Change "felt" to "has determined."

Response: Changed.

Design Refinement 12 - Move Multiuse Trail East of County UU

If we are going to put a barrier wall between the trail and the on-ramp in the NW quadrant of the interchange, would we not do so in the SE quadrant on ramp also? Or was one planned there already?

Response: There is no barrier wall proposed along the SE quadrant on-ramp since it is not needed in this location and there is no barrier proposed along WIS 23 between the trail and highway in this area. Although the trail along the WB on-ramp is outside the clear zone, the Region decided a consistent use of barrier (up the ramp) would avoid the use of beam guard along WIS 23.

Design Refinement 13 - Buyout

I think the spelling is Michels...

Response: Reference to this parcel was removed from the document.

P&Q (Michels)

Response: Reference to this parcel was removed from the document.

We'll likely remove, but it's P&Q, (Michels)

Response: Reference to this parcel was removed from the document.

awkward sentence. Recommend:

The area needed for the roadway and multiuse trail in the southwest quadrant of WIS 23/County G interchange requires a large portion of the P&Q (Michels) parcel.

Response: Reference to this parcel was removed from the document.

P&Q (Michels)

Response: Reference to this parcel was removed from the document.

delete

Response: Reference to this parcel was removed from the document.

5.D. Right of Way Changes

design

Response: Added.

P&Q (Michels)

Response: Reference to this parcel was removed from the document.

discuss with team - residential properties that were sold

Response: This comment references the two parcels that were purchased by WisDOT as excess right of way and already sold. After discussion during the meeting there is no change to the document based on this comment.

5.E. Social and Cultural

do we want to stick with describing it as a backage road? that would be consistent with wording above.

Response: Changed.

Should this be "backage road" to remain consistent?

Response: Changed.

handicapped

Response: Changed

missing a "d"

handicapped

Response: Changed

5.G. Economic

It is my opinion that the "No" box should be checked. Spirit Riders moved out and Rawhide never moved in. This can be discussed in one or two sentences. It does not need the entire reflection of economic advantages and disadvantages from the LS SFEIS.

Response: Based on recent communication Rawhide will be moving in, maybe starting operations, and has expansion plans for the property. This box was checked "Yes" since they will be impacted if they are setting up their operations. As per WisDOT R. E., Rawhide, Inc. will not receive all relocations benefits since they will be in operation for under 1 year.

inconsistent with the rest of the evaluation which only discusses changes. For example, for bullet one, I would put increase in one business relo.

Response: See Jay's Comment Below.

I believe this entire discussion should be boiled down to one small discussion about the changes in impacts to farming operations. A discussion of coordination with DATCP should be here also, referencing Exhibit 9 (which I don't believe needs to be included and can be incorporated by reference).

Response: This discussion was removed and replaced with three statements. One about the Rawhide relocation, one about the decrease in crop land required, and one about DATCP not revising the AIS.

5.H. Historic Resource/Arch

You should include a statement that says, "See Exhibit XXX for agency coordination." It appears to be Exhibit 7.

Response: Statement added.

mention additional survey, isolated finds, no eligible sites, etc

Response: Added "There was additional survey completed for the design refinements. There was one isolated find but no eligible sites. See Exhibit 7 for the Section 106 coordination."

5.J. Wetlands

The wetland #s need clarification this says 25 acres in R/W, but item c says 51 acres fill, but last paragraph on this page indicates permit authorized 35.69 acres fill. Please explain.

Response: After discussion with Kathie, item a was changed to match item c which is wetlands that will be filled inside and outside of right of way. There is also a statement added to the Section 404 that states that the impacts shown are calculated from right of way and the permit impacts are calculated by slope intercepts and account for avoidance and minimization efforts that take place later in design.

5.L. Floodplain

Placeholder- check document, I believe there was a finding

Response: Floodplain Finding was mentioned on page 6-9 of the LS SFEIS/ROD. Changed to "yes".

I suspect that since you included language here, there is going to be a comment that you should include a finalizing statement that the design changes will not result in any new impacts to T&E species previously identified.

Response: Added "The design refinements will not result in any new impacts to T&E species previously identified."

5.Q. Noise

County K and County UU

Response: Changed.

how about "involved" instead of "concerned".

Response: Changed.

Delete "barrier".

Response: Removed.

This discussion is not needed. Your discussion in Exhibit 8 provides that explanation.

Response: Removed.

5.S. Stormwater

You changed from ditch sections to curb and gutter in some places. Didn't this change the discharges?

Response: Text changed. Please see our NOTE TO REVIEWERS.

6. Comments and Coordination

coordination

Response: Changed.

This should be a placeholder, which is what I assume this language was meant to be.

Response: Changed to the date that information was sent to WDNR.

This letter came from MAP. While they are part of WHS, they are working as a consultant on our behalf and are separate from SHPO. We can remove this attachment. I would say something like SHPO concurred with no historic properties in the APE for the design refinements on (date). Then reference the signed Section 106 in Exhibit 7

Response: Removed the letter and updated with suggested wording.

I assume this language was meant to be a placeholder also.

Response: Updated based on comment below.

Seeing as we're reaching out to DATCP prior to re-eval approval, I'd prefer to say something like DATCP was provided information about the design refinements and resulting changes in impacts to farmland. DATCP has indicated that a revised AIS is not needed for the design refinements (assuming this is how the coordination plays out)

Response: Updated (no revised AIS needed).

Table 1 of 2

Waiting on info from WisDOT?

Response: Yes, we are waiting for the cost information from WisDOT

Table 2 of 2

Indicating no change, doesn't necessarily help one understand if any of these items apply to the re-evaluation.

Indicate No for each of the yes/no items and then add a footnote, that these responses pertain only to the design refinements - discuss with team.

Response: After discussion with the project team it was determined that "yes" would remain, but a footnote would be added that points out that the design refinements did not result in the impacts.

Kathie and I discussed a solution to this "Other Impacts" section and I think we will set up a Skype discussion to talk thru our proposal to Strand on Monday. We can also use that time to step thru any other items that as you feel still have ambiguity or need follow-up. Really appreciate the collaboration on our combined comments

Response: After discussion with the project team it was determined that "yes" would remain, but a footnote would be added that points out that the design refinements did not result in the impacts.

Exhibit 2

trail should be pulled away from WIS 23 so that it's consistent with the trail to the east and west. Originally, it was pulled close to WIS 23 because of the impacts to the residential properties, but now that they are relocations, it is not needed. Show this trail alignment in blue and new in black.

Response: Strand will update the maps when pavement files are sent. They can be updated at any point in the re-evaluation preparation.

would it get to cluttered if we added the names that are referenced in the design refinement description? for example, label the Raw Hide property...

Response: Comment above suggested removing all property names so no change was completed based on this comment.

Discuss with team - hatching over purple? It still will be excess?

Response: No change was made for this comment. This was discussed at a weekly meeting and FHWA requested that purple be on top of green.

Why is all this extra right of way needed for this minor access road? It wasn't needed before with the access road.

Response: Discussion added to Design Refinement 5. We revised maps to show outline of the ponds into the with information Bryan sent over.

right of way?

Response: Response: Discussion added to design refinement 5.

on other maps areas where the design was unchanged were indicated by blue lines under the black. Someone could misunderstand this to be something that was removed from the design (similar to the backage road.

Response: Graphic Removed.

Exhibit 7 - WHS Letter

This can be removed. Add signed Section 106 form, when we have it

Response: Removed. Changed Exhibit 7 to Section 106.

Exhibit 8 - Noise

Put summary of receptors before this table

Response: Done.

structure this conversation similar to the three below. It's easier to understand

Response: No wall was modeled at this location which is why the format is different. After the meeting it was determined that no change would be made to this description.

I don't see a "Wall 1" on the receptor maps.

Response: Added.

walls are not shown on receptor maps

Response: Added.

Insert "at any of the four isolated locations"

Response: Added.

Change this to "analysis".

Response: Changed.

I don't see a "Wall 2" on the receptor maps.

Response: Added.

Change this to "any of the".

Response: Changed.

I don't see a "Wall 3" on the receptor maps.

Response: Added.

six, or seven?

Response: There are seven possible receptors, but only six are benefitted by the required 8 dBA. Added a sentence explaining this.

Should this be 7? Or the 7th receptor did not receive enough reduction to be counted

Response: There are seven possible receptors, but only six are benefitted by the required 8 dBA. Added a sentence explaining this.

Move Page 2 to Page 1 and Page 1 to Page 2.

Response: Done.

Exhibit 9

I do not believe the AIS needs to be included in the document and should be incorporated by reference in Item 5G and Item 6.

Response: Changed this to Exhibit 9 Coordination with DATCP and will include the email received from Alice Halpin.

Exhibit 10 - Public Comments and Responses

There were no comments in original review since the PIM had not yet been held. The summary of 10 comments and responses is now included, and Strand has 3 follow-up questions for WisDOT that could end up revising the proposed responses.

Exhibit 11 - Alternative Comparison Matrix

Why is this included? It is not needed.

Response: The form states "Attach the Alternative Comparison Matrix or other summary of impacts table from the original environmental document as an appendix." Based on this comment, we have removed this exhibit from the document.