TIER 1

FINAL ENVIRONMENTAL IMPACT STATEMENT

and RECORD of DECISION

Submitted Pursuant to 42 USC 4332(2)(c) and 49 USC 303

by the

U.S. Department of Transportation, Federal Highway Administration,

State of Wisconsin Department of Transportation

Brown County Department of Public Works

Cooperating Agencies:

U.S. Army Corps of Engineers

U.S. Coast Guard

U.S. Environmental Protection Agency

Wisconsin Department of Natural Resources

Wisconsin State Historic Preservation Office (pursuant to 23 USC 139)

APPROVALS

FHWA is issuing a single Final Environmental Impact Statement and Record of Decision document pursuant to 23 United States Code 139(n)(2) and 23 Code of Federal Regulations (CFR) 771.123(g). As a result, the 30-day waiting period between the Final EIS and Record of Decision, prescribed in 23 CFR 771.127(a) will not occur.

ABSTRACT

The Brown County South Bridge Connector study area extends from the intersection of County GV and X on the east to the intersection of County F and Williams Grant Drive/Packerland Drive on the west, a distance of about 6 miles. This corridor lacks efficient east-west connections due to lack of roads across the Fox River in this developing area of Brown County. As traffic increases, safety and traffic operations on this corridor will continue to deteriorate. By 2045, increased traffic volumes will cause adjacent Fox River crossings and other roads to operate at a poor level of service during peak periods. The Tier 1 Environmental Impact Statement evaluates the social, environmental, and economic impacts of the No-Build Alternative and a range of Corridor Alternatives, as well as the extent to which these alternatives address the project’s purpose and need. This Tier 1 Final Environmental Impact Statement and Record of Decision identifies Alternative 2 (Rockland-Red Maple-Southbridge Road) as the selected corridor. Tier 2 environmental studies will be necessary to further develop alignment alternatives and evaluate impacts that could result from construction.
National Environmental Policy Act Statement

The National Environmental Policy Act of 1969, as amended (42 United States Code 4332) requires that all federal agencies prepare a detailed Environmental Impact Statement (EIS) for major federal actions that will significantly affect the quality of the human environment. The Federal Highway Administration (FHWA) is therefore required to prepare an EIS for proposals funded under its authority if such proposals are determined to be major actions significantly affecting the quality of the human environment.

The study is being advanced as a tiered process consistent with the Council on Environmental Quality (CEQ) regulation 40 Code of Federal Regulations (CFR) 1508.28 and FHWA’s Environmental Impact and Related Procedures (23 CFR 771). Tiering is a process for evaluating the environmental consequences of a project in two steps, known as tiers. The first tier allows an agency to determine a corridor’s needs and focus on broad environmental issues that may directly affect early planning decisions, such as the type of transportation mode, the general location of the project, and major design features. The second tier generally involves the preparation of a detailed NEPA analysis addressing the consequences of one or more specific projects and including project impacts, costs, and mitigation strategies. This may take the form of a Tier 2 EIS, Environmental Assessment, or Categorical Exclusion. A tiered approach was selected for several reasons. First, uncertainty over the amount and timing of future funding suggests that a corridor-wide improvement would not be implemented as a single project. Tiering would allow the development of logical portions of the project as funding becomes available. Second, a tiered approach would provide an understanding of the long-term consequences of corridor-wide improvements. This understanding could not be developed by looking at projects, or smaller sections of the corridor, individually.

The objective of this Tier 1 EIS effort is to analyze corridor and non-corridor alternatives and potentially select an alternative for further development so that the Wisconsin Department of Transportation (WisDOT) and the communities can plan and program future improvements. Tiering the decision-making process will allow input from all involved agencies and the public to shape these transportation planning decisions. This will provide a level of predictability for WisDOT and the communities to ensure that certain location decisions will not be revisited later in the process.

Tier 2 studies would provide detailed environmental review and analysis of project-specific preliminary design. These studies would be covered by separate environmental documents that would individually analyze each section of independent utility along the corridor.

The EIS process is carried out in two stages. The Tier 1 Draft EIS is circulated for review by federal, state, and local agencies with jurisdiction by law or special expertise and made available to the public. The Draft EIS must be made available to the public at least 15 days before the public hearing. A minimum 45-day comment period is provided from the date the Draft EIS availability notice is published in the Federal Register. WisDOT must receive agency comments on or before the date listed on the front cover of the Draft EIS unless a time extension is requested and granted by WisDOT and FHWA pursuant to 23 United States Code 139(g)(2)(A). After the Draft EIS comment period has elapsed, work may begin on the Final EIS.

The Tier 1 Final EIS will include the following:

1. Identification of the preferred course of action (alternative) and the basis for its selection.
2. Basic content of the Tier 1 Draft EIS, along with any changes, updated information, or additional information as a result of agency and public review. These changes are indicated by yellow highlighting throughout this Final EIS.
3. Summary and disposition of substantive comments on social, economic, environmental, and engineering aspects resulting from the public hearing/public comment period and agency comments on the Tier 1 Draft EIS.
4. Resolution of environmental issues and documentation of compliance with applicable environmental laws and related requirements.

The Draft and Final EISs are full-disclosure documents, which provide a full description of the proposed project, the existing environment, and an analysis of the anticipated beneficial or adverse environmental effects.

A Record of Decision (ROD) is the administrative action that approves the selected alternative. The ROD presents the basis for the decision and summarizes any mitigation measures that will or are proposed to be incorporated in the project. 23 United States Code 139(n)(2) and 23 CFR 771.123(g) state that, to the maximum extent practicable, the Lead Agencies shall expeditiously develop a single document that consists of a Final EIS and a ROD. This environmental document is a combined Final EIS/ROD.

The names, addresses, and telephone numbers of the individuals from whom additional information can be obtained are listed on the cover of this document.

CEQ updated its NEPA regulations at 40 CFR 1500 – 1508 during the preparation of the Final EIS and ROD. Per updated 40 CFR 1506.13, the updated regulations, “apply to any NEPA process begun after September 14, 2020.” Since the NEPA process for the Brown County South Bridge Connector was started prior to that date, the Lead Agencies prepared this Final EIS and ROD consistent with the older version of the regulations, and all references to 40 CFR 1500 – 1508 throughout this document reference the older version of the regulations.
Contents

National Environmental Policy Act Statement ............................................................................. iii
Acronyms and Abbreviations ......................................................................................................... xi

Tier 1 Record of Decision .............................................................................................................. 1
  1.1 Decision ............................................................................................................................... 1
  1.2 Alternatives Considered ....................................................................................................... 2
  1.3 Section 4(f) .......................................................................................................................... 10
  1.4 Wetland and Floodplain Findings ....................................................................................... 11
  1.5 Measures to Minimize Harm and Mitigation Commitments ............................................... 11
  1.6 Monitoring and Enforcement ............................................................................................ 13
  1.7 Comments .......................................................................................................................... 14
  1.8 Record of Decision Approval ............................................................................................ 15

Tier 1 Final Environmental Impact Statement

Executive Summary ...................................................................................................................... ES-1

1 Purpose of and Need for the Project ......................................................................................... 1-1
  1.1 Introduction ....................................................................................................................... 1-1
  1.2 Project Purpose ................................................................................................................. 1-4
  1.3 Project Needs .................................................................................................................... 1-4
  1.4 Summary .......................................................................................................................... 1-11
  1.5 References ....................................................................................................................... 1-11

2 Alternatives Considered .......................................................................................................... 2-1
  2.1 Introduction ....................................................................................................................... 2-1
  2.2 Identify, Screen, and Evaluate Alternatives ...................................................................... 2-3
  2.3 Alternative Routes Retained for Detailed Study ............................................................... 2-25
  2.4 Identification of a Preferred Corridor Alternative ............................................................. 2-33
  2.5 References ....................................................................................................................... 2-47

3 Existing Conditions, Impacts, and Next Steps ...................................................................... 3-1
  3.1 Introduction ....................................................................................................................... 3-1
  3.2 Land Use .......................................................................................................................... 3-3
  3.3 Residential Development ................................................................................................. 3-6
  3.4 Business Development ..................................................................................................... 3-10
  3.5 Community Resources ..................................................................................................... 3-13
  3.6 Socioeconomic Characteristics/Environmental Justice .................................................... 3-18
  3.7 Transportation Services .................................................................................................... 3-24
  3.8 Agriculture ....................................................................................................................... 3-27
  3.9 Water Resources .............................................................................................................. 3-30
  3.10 Protected Species and Other Wildlife ............................................................................. 3-39
  3.11 Traffic Noise ................................................................................................................... 3-42
  3.12 Air Quality ...................................................................................................................... 3-45
  3.13 Cultural Resources ......................................................................................................... 3-46
  3.14 Section 4(f) and Section 6(f) ......................................................................................... 3-49
  3.15 Aesthetics ....................................................................................................................... 3-52
3.16 Hazardous Materials ................................................................. 3-55
3.17 Indirect and Cumulative Impacts ............................................. 3-57
3.18 Relationship of Local and Short-term Uses versus Long-term Productivity .......... 3-74
3.19 Irreversible and Irretrievable Commitments of Resources .................. 3-74
3.20 References ............................................................................. 3-75

4 Community Involvement and Agency Coordination .................................... 4-1
4.1 Coordination Activities, 2006-2012 ............................................. 4-1
4.2 Coordination Activities, 2013-2019 ............................................. 4-9
4.3 Coordination Activities, 2019-2020 ............................................. 4-10
4.4 Coordination Activities After Tier 1 Draft EIS Approval .................. 4-20
4.5 References ............................................................................. 4-27

5 Final EIS Distribution List ..................................................................... 5-1
Federal Agencies ............................................................................. 5-1
State Agencies ............................................................................. 5-1
Tribal Historic Preservation Officers ............................................. 5-1
Federal and State Elected Officials ............................................. 5-2
Local Units of Government/Interest Groups ..................................... 5-2
Local Libraries and Repositories ...................................................... 5-2

6 List of Preparers ............................................................................... 6-1

Tables
Table 1-1. Level of Service Definitions .................................................. 1-5
Table 1-2. Traffic Volumes and Level of Service ..................................... 1-5
Table 1-3. Historic and Future (2040) Population .................................. 1-8

Table 2-1. Alternative Routes Identified in Step 1 and Evaluated in Step 2 .............. 2-13
Table 2-2. Corridor Alternative 1 Level of Service a .................................. 2-35
Table 2-3. Corridor Alternative 2 Level of Service a .................................. 2-36
Table 2-4. Community Resolutions and Letters of Support ....................... 2-41
Table 2-5. Socioeconomic Impact Summary ........................................... 2-43
Table 2-6. Natural Environment Impact Summary .................................... 2-45
Table 2-7. Proposed Tier 2 Schedule ..................................................... 2-46

Table 3.1-1. Resources or Topics Discussed in Section 3 .............................. 3-2
Table 3.5-1. Corridor Alternatives 1 and 2 Park Impacts ............................ 3-17
Table 3.6-1. South Bridge Connector Community Populations 2010-2018 and 2040 Projected Population .......................................................... 3-20
Table 3.6-2. Study Area Minority Population 2010 - 2018 ........................... 3-20
Table 3.6-3. Population by Race/Ethnicity, 2018 ....................................... 3-21
Table 3.6-4. Median Household Income and Poverty (2014-2018) ................. 3-21
Table 3.9-1. Waterways Crossed by Alternative Working Alignments ........... 3-31
Table 3.9-2. Floodways and Floodplains Crossed by Corridor Alternatives .... 3-33
Table 3.9-3. Corridor Alternative 1 Wetland Impacts .................................. 3-34
Table 3.9-4. Corridor Alternative 2 Wetland Impacts .................................. 3-36
Table 3.10-1. Federally Protected Threatened and Endangered Species ........... 3-39
Table 3.10-2. State-Protected Species .................................................... 3-40
Table 3.11-1 Noise-Level Criteria for Considering Barriers .......................... 3-42
Table 3.13-1. Archaeological Sites Recorded within 500-feet of the Corridor Alternatives .......................... 3-47
Table 3.14-1. Potential Section 4(f) and Section 6(f) Resources ................. 3-50
Table 3.17-1. Assessing the Potential for Project-Influenced Land Use Change ............................................. 3-60
Table 3.17-2. Resources Considered for Project Encroachment Impactsa ......................................................... 3-63
Table 3.17-3. Total Agricultural Lands, 1970 to 2016 .................................................................................... 3-67
Table 3.17-4. Existing Land Use within the Cumulative Impacts Study Area .................................................... 3-68
Table 3.17-5. Existing and Future Land Use in the City of De Pere ................................................................ 3-69
Table 3.17-6. Existing and Future Land Use in the Town of Lawrence ............................................................ 3-69
Table 3.17-7. Existing and Future Land Use in the Town of Ledgeview ............................................................ 3-69
Table 3.17-8. Waterways Near Corridor Alternatives ....................................................................................... 3-72

Table 4-1. Stakeholder Committee Meetings, 2006-2012 .............................................................................. 4-2
Table 4-2. Public Meetings, 2006-2012 ........................................................................................................ 4-2
Table 4-3. Local Officials Meetings, 2006-2012 ............................................................................................ 4-4
Table 4-4. Local Resolutions Supporting or Opposing Alternatives, 2006-2012 ............................................. 4-4
Table 4-5. Participating and Cooperating Agencies, 2006-2012 ................................................................. 4-5
Table 4-6. Consultations with Participating and Cooperating Agencies, 2006-2012 ................................. 4-6
Table 4-7. Summary of Environmental Considerations from Agencies and Tribes, 2006-2012 ............... 4-8
Table 4-8. Meetings with Local Officials and Community Organizations, 2013-October 2019 .................. 4-9
Table 4-9. Local Resolutions Supporting or Opposing Alternatives, 2016–October 2016 .................................. 4-9
Table 4-10. Local Support for Alternatives, 2019-2020 ............................................................................ 4-14
Table 4-11. Participating and Cooperating Agencies for the Tier 1 EIS ....................................................... 4-15
Table 4-12. Summary of Comments Received from Agencies and Tribes, 2019-2020 .............................. 4-19
Table 4-13. Agency comments on the Tier 1 Draft EIS and Lead Agency Responses ............................ 4-21
Table 4-14. Public Comments Received During Tier 1 Draft EIS Comment Period .................................... 4-23

Table 6-1. List of Preparers .......................................................................................................................... 6-1

Exhibits

Project Location Map ................................................................................................................................. v

Corridor Alternatives Retained for Detailed Study ................................................................................. ES-3

Exhibit 1-1. Project Location Map ................................................................................................................ 1-1
Exhibit 1-2. Related Projects ........................................................................................................................ 1-3
Exhibit 1-3. Fox River Bridges ....................................................................................................................... 1-4
Exhibit 1-4. Travel to/from the Claude Allouez Bridge through Downtown De Pere ............................ 1-7
Exhibit 1-5. Existing and Future Land Use .................................................................................................. 1-9

Exhibit 2-1. Initial Range of Alternatives .................................................................................................... 2-3
Exhibit 2-2. Initial Range of Alternatives Considered .............................................................................. 2-4
Exhibit 2-3. Impacts of Improving Roundabout on East Side of Claude Allouez Bridge ....................... 2-9
Exhibit 2-4. Alternatives Remaining after Screening Step 1 ................................................................ 2-11
Exhibit 2-5. Alternatives Remaining after Step 2 .................................................................................... 2-20
Exhibit 2-6. Route Alternatives Remaining After Step 2 Screening ........................................................ 2-22
Exhibit 2-7. Alternatives Remaining after Step 3 .................................................................................... 2-25
Exhibit 2-8. Corridor Alternatives Retained for Detailed Study ............................................................... 2-26
Exhibit 2-9. 500-foot Corridor vs Working Alignment ........................................................................... 2-27
Exhibit 2-10. Tier 1 vs Tier 2 Alignment Comparison .............................................................................. 2-28
Exhibit 2-11. Alternative 2. Location of Working Alignment Shift between County PP and Fox River State Trail ......................................................... 2-29
Exhibit 2-12. Alternative 2. Location of Working Alignment Shift between Old Plank Road and WIS 57/WIS 32 (Greenleaf Road) .......................................................................................................................................................... 2-30
Exhibit 2-13. Typical Cross-Section, Four-Lane Divided Rural Roadway .......................................................... 2-31
Exhibit 2-14. Typical Cross-Section Two-Way Left-Turn Lane ........................................................................ 2-31
Exhibit 2-15. Typical Cross-Section Four-Lane Divided Urban Roadway .......................................................... 2-32
Exhibit 2-16. Corridor Alternatives with Traffic Volumes at Select Locations .............................................. 2-37
Exhibit 2-17. Composite Crash Rate Indices .................................................................................................. 2-40

Exhibit 3.1-1. Impact Calculation .................................................................................................................. 3-1
Exhibit 3.1-2. Environmental and Community Features for Corridor Alternative 1 ..................................... 3-79
Exhibit 3.1-3. Environmental and Community Features for Corridor Alternative 2 .................................... 3-82
Exhibit 3.2-1. Planned Land Uses in South Bridge Connector Area ................................................................. 3-5
Exhibit 3.3-1. Residences Adjacent to Corridor Alternative 1 ...................................................................... 3-8
Exhibit 3.3-2. Residences Adjacent to Corridor Alternative 2 ...................................................................... 3-8
Exhibit 3.4-1. Commercial and Industrial Business Centers in South Bridge Connector Area ..................... 3-11
Exhibit 3.6-1. Corridor Alternative Census Block Groups ............................................................................... 3-19
Exhibit 3.8-1. Agricultural Land Adjacent to Corridor Alternatives 1 and 2 ............................................... 3-29
Exhibit 3.11-1. Noise-Sensitive Receptors along Working Alignment for Alternative 1 ............................ 3-44
Exhibit 3.11-2. Noise-Sensitive Receptors along Working Alignment for Alternative 2 ............................ 3-44
Exhibit 3.17-1. Indirect Impacts Study Area ................................................................................................. 3-59
Exhibit 3.17-2. Notable Existing and Planned Developments ........................................................................ 3-61
Exhibit 3.17-3. Major Transportation Projects and Notable Developments ................................................... 3-66

Appendixes
A Traffic Volumes/Level of Service Data
B Consideration of a Future South Bridge River Crossing in Local Plans
D Mobile Source Air Toxics
E Indirect and Cumulative Impacts Technical Memorandum
F Community Involvement and Agency Coordination during Draft EIS Preparation
G Example South Bridge Connector Schedule
H Section 4(f) and 6(f) Correspondence and Documentation, Fox River State Trail
I Community Involvement and Agency Coordination after Draft EIS publication

Index
## Acronyms and Abbreviations

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AASHTO</td>
<td>American Association of State Highway Transportation Officials</td>
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<tr>
<td>ACS</td>
<td>United States Census Bureau American Community Survey</td>
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<tr>
<td>ASNRI</td>
<td>Areas of Special Natural Resource Interest</td>
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<tr>
<td>C-D</td>
<td>collector-distributor</td>
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<tr>
<td>CEQ</td>
<td>Council on Environmental Quality</td>
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<tr>
<td>CFR</td>
<td>Code of Federal Regulations</td>
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<td>CN</td>
<td>Canadian National Corps of Engineers</td>
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<td>Federal Highway Administration</td>
</tr>
<tr>
<td>I-41</td>
<td>Interstate 41</td>
</tr>
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<td>Lead Agencies</td>
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</tr>
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<td>Leq</td>
<td>hourly equivalent noise levels</td>
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<td>LWCF</td>
<td>Land and Water Conservation Fund</td>
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<td>mph</td>
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<td>MPO</td>
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<td>National Ambient Air Quality Standards</td>
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<td>NERTDM</td>
<td>Northeast Regional Travel Demand Model</td>
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<td>PCB</td>
<td>polychlorinated biphenyl</td>
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<td>Preliminary Engineering and Operations Review</td>
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