

**COORDINATION PLAN**  
**For**  
**AGENCY AND PUBLIC INVOLVEMENT**

As part of the Environmental Review Process for  
West Waukesha Bypass  
I-94 to WIS 59  
Waukesha County, WI  
WisDOT Project I.D. 2788-01-00



U.S. Department of Transportation  
Federal Highway Administration



Wisconsin Department of Transportation



Waukesha County Department of Public Works

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## Revision History

This Coordination Plan for Agency and Public Involvement (“Coordination Plan”) is intended to be a dynamic document that will be available to stakeholders and updated as appropriate throughout the duration of the project. Below is a record of substantive changes made to this document.

The Lead Agencies will make the Coordination Plan available to other agencies and the public in the ways identified in Section 1.1. The Coordination Plan will be revised when important agency contact information changes (Table 2.3), when important coordination activities or actions described in the Plan change, or when the project schedule substantially changes (Table 4.1). Revisions and changes to the Plan will be communicated to agencies in a timely manner and shared with the public in ways identified in Section 1.1. Revisions or changes that impact Plan commitments made by other agencies must be agreeable to the affected agencies. Other revisions and changes to the Plan, not affecting commitments made by other agencies, will be forwarded to Cooperating and Participating Agencies for their acknowledgement and comment.

Coordination Plan Version	Date of Change	Revision Description
Original Version May 2010	February 2012	Section 2.3 (Table 2.3)—Updated agency contact list and coordination/participating agency status  Section 4.1 (Table 4.1)—Updated project schedule  Section 7, (Table 7.1) —Updated list of project meetings

# Section 1: Introduction

## 1.1 Purpose of Coordination Plan

This project's environmental review process must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The purpose of this Coordination Plan is to communicate how and when the lead agencies will coordinate public and agency participation and comment in the environmental review process for the West Waukesha Bypass project.

This Coordination Plan outlines how the lead agencies have divided responsibilities for compliance with various aspects of the environmental review process such as the issuance of invitation letters, and how the lead agencies will provide opportunities for input from the public and other agencies. The Coordination Plan also identifies concurrence points and project milestones, and establishes a schedule of meetings and timeframes for input and review by the Participating and Cooperating Agencies, as well as by the public, Indian Tribes of Wisconsin and other Tribal interests.

This plan will be shared with the Federal, State, and local agencies, local units of government, and Indian Tribes who have expressed interest in the proposed project. Copies of the draft Coordination Plan will be sent to the interested parties for review and comment. A copy of the completed Coordination plan will be shared with the public through the project website, at public information meetings, or by request. The Plan will be updated as necessary to reflect substantive changes to information contained in the Plan. Any changes will be documented in the Plan, agencies will have updated copies sent to them, and the public will be notified through the project website, at public information meetings, or by request.

This Coordination Plan is prepared and implemented to establish an environmental review process that conforms to requirements of the National Environmental Policy Act (NEPA), and specifically to comply with Section 6002 of the 2005 federal transportation bill, *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU).

## 1.2 Project Background

Waukesha County, in cooperation with the Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT), will prepare an Environmental Impact Statement (EIS) for transportation improvements between IH-94 and WIS 59 on the west side of the City of Waukesha. The transportation improvements are being proposed to address growing local and regional traffic volumes, and to enhance traffic flow and safety. The objective is to provide a north-south link between IH-94 and WIS 59 that will complete the existing partial circumferential "beltline" around the City of Waukesha.

Several regional land use and transportation system plans prepared by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) have included a West Waukesha Bypass. Most recently, the 2035 Regional Transportation System Plan for Southeastern Wisconsin (Planning Report 49, June 2006) includes a bypass corridor between I-94 and WIS 59 that would use a combination of Meadowbrook Road/Merrill Hills Road to a point north of Sunset Drive where it would then be on new alignment to the WIS 59 intersection with County X.

The regional planning process considers the potential of more efficient land use and expanded public transit, systems management, bicycle and pedestrian facilities, and demand management to first alleviate traffic congestion (a transportation system management plan). Highway improvements, such as the recommended West Waukesha Bypass, were only then considered to address any residual congestion. As a result the EIS for this study will incorporate, by reference, the modal evaluation of the regional planning process.

Waukesha County plans and the official map for the City of Waukesha also include this same bypass alignment. Waukesha County's official map shows this alignment as a result of a study in 1990-1991 that assessed the need for the West Waukesha Bypass and reviewed several different alignments before ultimately selecting the Meadowbrook Road/Merrill Hills Road alignment.

The EIS will evaluate alternatives for providing a north-south arterial highway between IH-94 and WIS 59 using a combination of existing highways and new alignments. It will also evaluate a no build alternative. The EIS, prepared under NEPA, is a full disclosure document that details how the project was developed. It includes project purpose and need, alternatives considered, description of the affected environment, environmental consequences of the proposed action, and the result of coordination with agencies and the public. The EIS also demonstrates compliance with other applicable environmental laws and regulations and is made available for review by agencies and the public.

If a build alternative is selected at the conclusion of the EIS process, a new roadway link between IH-94 and WIS 59 is anticipated to be designated as a State Trunk Highway. Design and construction would be done as a joint effort by the City of Waukesha, Waukesha County, and WisDOT.

### **1.3 Agency Coordination Prior to the Coordination Plan**

The initial draft Coordination Plan was distributed to local officials and state review agencies on May 25, 2010, to federal review agencies on June 8, 2010, and to Native American Tribes on June 15, 2010 along with invitations to become participating or cooperating agencies in the environmental process for the West Waukesha Bypass study. Agency coordination prior to distribution of the Coordination Plan included the following:

- Waukesha County assembled a community sensitive solutions (CSS) advisory committee made up of residents, business owners, community groups, and local, state and federal agency representatives. The committee met in March and May 2010 to discuss preliminary aspects of the West Waukesha Bypass corridor study. Representatives from the Wisconsin Department of Natural Resources (DNR) and U.S. Army Corps of Engineers (USACE) attended the March, 2010 meeting and a representative from the USACE attended the May, 2010 meeting.
- Waukesha County met with DNR and the WisDOT SE Region wetland ecologist in March, 2010 to brief them on the bypass study, to discuss the Pebble Creek corridor, and to discuss potential threatened and endangered species that may be present in the study area.



## Section 2: Agency Roles – Lead/Cooperating/Participating

### 2.1 Agency Definitions and Responsibilities

The standard responsibilities for each Lead, Cooperating, and Participating Agency invited to participate in the environmental review process for this project are as follows:

**Lead Agency:** USDOT-Federal Highway Administration (FHWA) is the Federal Lead Agency. The Wisconsin Department of Transportation (WisDOT) and Waukesha County are the Joint Lead Agencies for this project. Joint Lead Agencies are responsible for managing the environmental review and documentation process, preparing the EIS, and providing opportunities for public and Participating/Cooperating Agency involvement.

As the Federal Lead Agency, FHWA will invite other affected or interested federal agencies and Native American Tribes to participate in the project's environmental review process. WisDOT and Waukesha County as Joint Lead Agencies can invite other affected or interested state and local agencies to participate in the process. The Joint Lead Agencies are responsible for investigating project alternatives, implementing the environmental review process and preparing the environmental document. FHWA must oversee the environmental review process and concur that the process, as implemented by the Joint Lead Agencies satisfies applicable federal laws and guidance.

Waukesha County is responsible for conducting the West Waukesha Bypass Study and for preparing the EIS in consultation with FHWA and WisDOT.

**Cooperating Agency:** Means any federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative. A State or local agency of similar qualifications or, when the effects are on lands of tribal interest, a Native American Tribe may, by agreement with the lead agencies, also become a Cooperating Agency.

Cooperating Agencies shall use their knowledge and expertise to assist the lead agencies in identifying issues of concern regarding the project's potential impacts, and provide meaningful and timely input throughout the environmental review process. A Cooperating Agency's failure to respond in a timely manner will be indication that the Lead Agencies have fulfilled the coordination step with the agency for that issue. Cooperating Agencies may adopt the Lead Agency's final environmental document to fulfill their environmental documentation requirements for issuing permits or other approvals. Agencies invited to be Cooperating Agencies for the West Waukesha Bypass Study are identified in Table 2.3.

**Participating Agency:** Participating Agencies include federal, state or local agencies that have an interest in the project. These agencies agree to identify issues of concern regarding the project's potential impacts, and provide meaningful and timely input on purpose and need, range of alternatives, and impact analysis methodologies. Agencies invited to be Participating Agencies for the West Waukesha Bypass Study are identified in Table 2.3.

### 2.2 DOT-DNR Cooperative Agreement

Chapter 30 of the Wisconsin Statutes (Navigable Waters, Harbors and Navigation), Section 30.2022 (Activities of Department of Transportation) establishes an alternative process for the Wisconsin Department of Transportation and the Wisconsin Department of Natural Resources to interact on State transportation projects. State transportation projects are coordinated with and reviewed by DNR through interdepartmental liaison procedures under the Cooperative Agreement between the Wisconsin Department of Natural Resources and Wisconsin Department of Transportation. The Cooperative Agreement process engages both agencies in progressive discussions and reviews throughout development of transportation projects and culminates in a "concurrence letter" from DNR at the conclusion of final design activities. Coordination with and concurrence from DNR during this project's environmental review process precedes and supplements DNR's review and concurrence role during the final design process. WisDOT will not commence construction activities until DNR concurrence on final design is received.

Nothing in this Coordination Plan or in the SAFETEA-LU coordination process is designed or intended to replace or supplant the steps, activities or expectations expressed in the DOT-DNR Cooperative Agreement, nor does participation in this environmental review process in any way affect DNR's need or ability to perform review and provide concurrence during final design activities.

## 2.3 List of Agencies, Contacts, and Roles

The intent of coordination with federal, state, and local agencies as well as interested Tribes is to cooperatively identify important environmental or cultural resources and potential impacts and to resolve issues that could delay the environmental process or that could result in denial of approvals required to implement the proposed project. A more complete list of agency expectations is included in Section 3.1.

The agencies and Native American Tribes listed in Table 2.3 were identified as Lead agencies and potential Cooperating or Participating agencies for purposes of the West Waukesha Bypass environmental process. Invitations to become Cooperating or Participating agencies were sent to local officials by Waukesha County on May 25, 2010, to state review agencies by WisDOT on May 25, 2010, to federal review agencies by FHWA on June 8, 2010, and to Native American Tribes by FHWA on June 15, 2010. The status of agency responses to these invitations is noted in Table 2.3. Additional agencies can be invited and added to the list of participants at any time, as appropriate.

**Table 2.3**

Agency Name	Contact Person Name/Address/Phone Number	Project Role
<b>Federal Agencies</b>		
Federal Highway Administration (FHWA)	Mark Chandler 525 Junction Road, Suite 8000 Madison, WI 53717 (608) 829-7514 Mark.Chandler@dot.gov	Federal Lead Agency
U.S. Army Corps of Engineers (USACE)	Rebecca Graser 20711 Watertown Road, Suite F Waukesha, WI 53186 (262) 717-9531 Rebecca.M.Graser@usace.army.mil	Cooperating Agency (accepted 6/28/10)
U.S. Fish and Wildlife Service (US Fish & Wildlife)	Louise Clemency 2661 Scott tower Drive New Franken, WI 54229 (920) 866-1717 Louise_Clemency@fws.gov	Participating Agency (declined 8/24/10)
U.S. Environmental Protection Agency (USEPA)	Kenneth Westlake NEPA Implementation Section (Mail Code E-19) 77 W. Jackson Blvd. Chicago, IL 60604 (312) 886-2910 Westlake.Kenneth@epa.gov	Participating Agency (accepted 7/2/10)
U.S. Environmental Protection Agency (USEPA)	Kathleen Kowal NEPA Implementation Section (Mail Code E-19) 77 W. Jackson Blvd. Chicago, IL 60604 (312) 353-5206 Kowal.Kathleen@epa.gov	Participating Agency (accepted 7/2/10)
U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS)	Patrick Murphy 8030 Excelsior Drive, Suite 200 Madison, WI 53717 (608) 662-4422 Pat.murphy@wi.usda.gov	Participating Agency (no response)

Agency Name	Contact Person Name/Address/Phone Number	Project Role
Bureau of Indian Affairs	Richard Berg 1 Federal Drive Minneapolis, MN 55111 (612) 373-1000	Participating Agency (no response)
<b>State Agencies</b>		
Wisconsin Department of Transportation (WisDOT)	Doug Cain 141 NW Barstow St PO Box 798 Waukesha, WI 53187 (262) 548-5603 Douglas.Cain@dot.wi.us	Joint Lead Agency
Wisconsin Department of Natural Resources (DNR)	Kristina Betzold 2300 N. Dr. Martin Luther King Jr. Dr. Milwaukee, WI 53212 (414) 263-8517 Kristina.Betzold@wisconsin.gov	Cooperating Agency (accepted 7/21/10)
Wisconsin Department of Natural Resources (DNR)	Michael Thompson 2300 N. Dr. Martin Luther King Jr. Dr. Milwaukee, WI 53212 (414) 303-3408 MichaelC.Thompson@wisconsin.gov	Cooperating Agency (accepted 7/21/10)
State Historic Preservation Office (SHPO)	Michael Stevens 816 State Street Madison, WI 53706 (608) 264-6515 Michael.Stevens@wisconsinhistory.org	Participating Agency (declined 6/14/10)
Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP)	Peter Nauth 2811 Agricultural Drive PO Box 8911 Madison, WI 53708-8911 (608) 224-4650 Peter.Nauth@datcp.state.wi.us	Participating Agency (no response)
<b>Native American Tribes</b>		
Bad River Band of Lake Superior Chippewa Indians of Wisconsin	Mike Wiggins, Jr., Chair PO Box 39 Odanah, WI 54861	Participating Agency (no response)
Forest County Potawatomi Community of Wisconsin	Harold "Gus" Frank Chair PO Box 340 Crandon, WI 54520	Participating Agency (no response)
Ho-Chunk Nation	Jon Greendeer President PO Box 667 Black River Falls, WI 54615	Participating Agency (no response)
Lac Vieux Desert Band of Lake Superior Chippewa Indians	Allan Shively Tribal Chairman PO Box 249 Watersmeet, WI 49969	Participating Agency (no response)

Agency Name	Contact Person Name/Address/Phone Number	Project Role
Menominee Nation	Randal Chevalier Chairperson PO Box 910 Keshena, WI 54135	Participating Agency (no response)
Prairie Band Potawatomi Nation	Steve Ortiz Chairman 16281 Q Road Mayetta, KS 66509	Participating Agency (no response)
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin	Rose Soulier Chairwoman 88385 Pike Road Bayfield, WI 54814	Participating Agency (no response)
Sac & Fox Nation of Mississippi in Iowa	Frank Blackcloud Chairman 349 Meskwaki Road Tama, IA 52339-9626	Participating Agency (no response)
Sac & Fox Nation of Missouri in Kansas and Nebraska	Michael Dougherty Chairperson 305 North Main Reserve, KS 66434	Participating Agency (no response)
Sac & Fox Nation of Oklahoma	George Thurman Principal Chief Route 2, Box 246 Stroud, OK 74079	Participating Agency (no response)
Sokaogon Chippewa Community Mole Lake Band	Garland McGeshick Tribal Chair 3051 Sand Lake Road Crandon, WI 54520	Participating Agency (no response)
Great Lakes Intertribal Council	Michael Allen Executive Director PO Box 9 Lac du Flambeau, WI 54538 glitc@glitc.org	Participating Agency (no response)
<b>Local Agencies/Other Interests</b>		
Waukesha County	Gary Evans 1320 Pewaukee Road Waukesha, WI 53188 (262) 548-7740 gevans@waukeshacounty.gov	Joint Lead Agency
Southeast Wisconsin Regional Planning Commission (SEWRPC)	Ken Yunker W239 N1812 Rockwood Drive Waukesha, WI 53187-1607 (262) 547-6722 kyunker@sewrpc.org	Participating Agency (accepted 7/25/10)
City of Waukesha	Fred Abadi 130 Delafield Street Waukesha, WI 53188 (262) 543-3596 fabadi@ci.waukesha.wi.us	Participating Agency (no response on participating agency request, but participates in monthly study team meetings)

Agency Name	Contact Person Name/Address/Phone Number	Project Role
City of Pewaukee	Scott Klein W240 N3065 Pewaukee Road Pewaukee, WI 53072 (262) 691-0770 mayor@pewaukee.wi.us	Participating Agency (accepted 5/27/10)
Town of Waukesha	Angie Van Scyoc W250S3567 Center Road Waukesha, Wisconsin 53189-7364 (262) 542-5030	Participating Agency (no response on participating agency request, but participates in monthly study team meetings)

## **Section 3: Concurrence and Coordination Points and Agency Responsibilities**

### **3.1 Agency Expectations**

#### **The expectations for Lead Agencies are:**

- Manage and coordinate the environmental review process, insuring that environmental information is available to public officials and citizens before decisions are made and before actions are taken.
- Prepare the environmental document in accordance with 23 CFR part 771 (FHWA Environmental Impact and Related Procedures) and 40 CFR parts 1500-1508 (Council on Environmental Quality Regulations for Implementing NEPA).
- Provide, as early as practicable but no later than the appropriate project milestone, accurate and complete project information on purpose and need, environmental resources, alternatives, and proposed impact analysis methodologies.
- Identify and involve Cooperating and Participating Agencies.
- Develop the Coordination Plan.
- Provide opportunity for public and agency involvement in defining the purpose and need, alternatives carried forward for detailed study, and selection of preferred alternative.
- Collaborate with Cooperating and Participating Agencies in determining Impact Analysis Methodologies and the level of detail for the analysis of alternatives.
- Consult with and involve Tribal governments in compliance with NEPA and Section 106 of the National Historic Preservation Act.
- Manage and facilitate the process of resolving issues.

#### **The expectations for Cooperating Agencies are:**

- Assist the Lead Agencies in identifying environmental or cultural resources of concern.
- Identify as early as practicable any issue or concern regarding the project's environmental, cultural or socioeconomic impacts.
- Identify as early as practicable any issues that could substantially delay or prevent the granting of permits or other approvals needed for the project.
- Share information that may be useful to the Joint Lead Agencies, Cooperating and Participating Agencies.
- Participate in meetings and field reviews.
- Provide timely concurrence at milestones for purpose and need, alternatives carried forward for detailed study, and selection of preferred alternative.
- Provide timely comments on the Coordination Plan, Impact Analysis Methodologies, and potential project impacts as agreed to and reflected in Section 4 of this Plan.
- Review and comment on preliminary Draft and Final EIS.
- Participate as needed in issues resolution activities.

#### **The expectations for Participating Agencies are:**

- Assist the Lead Agencies in identifying environmental or cultural resources of concern.
- Identify as early as practicable any issue or concern regarding the project's environmental, cultural or socioeconomic impacts.
- Share information that may be useful to the Joint Lead Agencies, Cooperating and Participating Agencies.
- Participate in meetings and field reviews as appropriate and invited.
- Provide comments on purpose and need, Coordination Plan, Impact Analysis Methodologies, project alternatives and potential impacts in a timely manner, and as agreed to and reflected in Section 4 of this Plan.
- Review and comment on the Draft EIS and Final EIS.
- Participate as needed in issues resolution activities.

### **3.2 Concurrence and Coordination Points, Information Requirements, and Responsibilities**

To facilitate public and agency involvement in the environmental review process for the West Waukesha Bypass Study, several coordination and concurrence points have been established. Coordination points ("check-in" points for a set of activities) occur when project review activities or milestones will eventually result in important decisions affecting the environmental review process and its outcome. Concurrence points are steps in the environmental review process for which the Lead Agencies will request formal written agreement from Cooperating Agencies, and in some cases Participating Agencies, on finalizing certain decisions or outputs, and moving forward.

Coordination points will involve exchanges of information and opinions between the Lead Agencies, Participating and Cooperating Agencies, and the public. This information exchange will often be accomplished by mail or email, but may also occur through agency or public information meetings. Coordination points with agencies are typically established for the following activities:

- Project scoping activities
- Development of purpose and need statement
- Identification of the range of alternatives to be studied
- Collaboration on Impact Analysis Methodologies
- Completion of the Draft EIS
- Identification of the preferred alternative and the level of design detail
- Mitigation measures
- Completion of the Final EIS
- Completion of the record of decision (ROD) finalizing selection of the preferred alternative

Concurrence is a written agreement by a Cooperating or Participating Agency that the information to date is adequate to agree that the project can be advanced to the next stage of project development. Agencies agree not to revisit the previous process steps unless conditions change. Concurrence by an agency at a concurrence point does not imply that the project has been approved by that agency or that it has released its obligation to determine whether the fully developed project meets statutory review criteria. There are three formal concurrence points in the process:

- Final Purpose and Need statement for the project
- Alternatives to be carried forward for detailed study
- Selection of the preferred alternative for addressing project purpose and need

The Project Schedule in Section 4 lists the Coordination Plan's key concurrence and coordination points including which agency is responsible for activities during specific points, the information required at each point, and who is responsible for transmitting the information.

### **3.3 Issue Resolution Process**

The Lead Agencies, Cooperating and Participating Agencies will work cooperatively to identify and resolve issues that could delay completion of the environmental review process or that could result in denial of any approvals required for the project under applicable laws. See Appendix A, the last page of this document.

Based on information received from the Lead Agencies, Cooperating and Participating Agencies shall identify as early as practicable, any issues of concern regarding the project's potential environmental, cultural or socioeconomic impacts. Issues of concern include any issues that could substantially delay or prevent concurrence, the granting of permits or other approvals needed to implement the project.

Dispute resolution will be implemented when there is failure to reach concurrence at a concurrence point or there is substantial disagreement at a critical decision point. The resolution process will first consist of an informal attempt to reach concurrence/agreement among Cooperating/Participating Agencies. Participants would include a representative of each of the Federal agencies and appropriate State agencies. Each agency shall make its best effort to resolve disputes. Within 30 days of an agency identifying non-concurrence at a critical decision point, a "dispute resolution" meeting of designated agency representatives would be convened.

Dispute resolution meetings will be convened at an agreed upon location and time. At this meeting an attempt will be made to resolve agency concerns through consensus. This may include providing information or detail not previously provided. If the concerns are resolved at this meeting, the process is ended and the concurrence is formalized in the agreed upon manner.

If a resolution cannot be achieved within 30 days following the dispute resolution meeting, and the Lead Agencies determine that all information necessary to resolve the issue has been obtained and distributed, the Lead Agencies shall notify the heads of all participating parties, the project sponsor, the Governor, the U.S. Senate Committee on Environment and Public Works, the U.S. House of Representatives Committee on Transportation and Infrastructure, and the Council on Environmental Quality. Such notification shall also be published in the Federal Register.

The environmental review and documentation process may continue whether or not attempts to reach concurrence are successful. However, if the dispute remains unresolved, the agency in non-concurrence retains its options to elevate its concerns through existing, formalized dispute elevation procedures at the appropriate point in the environmental review or permitting process.

## Section 4: Project Schedule

### 4.1 Project Schedule and Negotiated Timeframes

The major milestones, coordination and concurrence points in the project's environmental review process are listed in Table 4.1 along with the timeframes in which they are anticipated to occur (actual dates listed where applicable). The listed timeframes must be discussed and negotiated with Cooperating and Participating Agencies, and should not appear in this table as "final" until affected agencies agree they are appropriate and achievable. By agreeing to the timeframes listed below, agencies accept their responsibility to provide appropriate input and feedback within the allotted time.

**Table 4.1**

Step No.	Milestone, Coordination or Concurrence Point	Information Provided or Action Taken	Who Contacted for Response	Information or Action Requested	Number of Days to Complete Activity	Estimated Date of Completion
1	Notice of Intent (NOI) to prepare EIS and proposed project scope	NOI to prepare EIS and proposed project scope	Cooperating and Participating agencies through Federal Register notice	NOI to prepare EIS and proposed project scope published in Federal Register	7 calendar days	5/11/2010 (actual)
2	Invitation letters, draft Coordination Plan (CP) and draft Impact Analysis Methodology (IAM) sent to potential cooperating and participating agencies	Letters of invitation to be cooperating or participating agencies Draft CP and IAM	Potentially interested cooperating and participating agencies	Written acceptance or reason for non-acceptance  Agency input on draft CP and IAM	30 calendar days	Invitations Sent 5/25/10-6/15/10 (actual)  Responses due (7/15/10)
3	Initial Agency Scoping Meeting	Discussion of draft CP and IAM; preliminary purpose and need; initial range of alternatives	Cooperating and Participating agencies	Provide comments on draft CP and IAM, preliminary purpose and need, initial range of alternatives	30 calendar days	Scoping Meeting 7/20/10 (actual)
4	First Public Info. Meeting (PIM) Public input on draft CP and IAM, purpose and need, and initial range of alternatives	Availability of draft CP and IAM, purpose and need, and initial range of alternatives through media releases, project website and public meeting	Cooperating and participating agencies, tribes, public, local officials and other stakeholders	Provide comments on draft CP and IAM, purpose and need, and range of alternatives	30 calendar days	5/18/10 (actual)
5	Draft Purpose and Need statement	Draft purpose and need statement for review	Cooperating and participating agencies	Provide comments on purpose and need (Draft EIS Section 1)	30 calendar days	EIS Section 1 sent to agencies 10/29/10 (actual)  Responses due 11/29/10
6	Final coordination and impact analysis methodology plans with follow up as needed	Final coordination and impact analysis methodology plans	Cooperating and participating agencies	Review for acceptance or reply on issues to be resolved	30 calendar days	10/29/10

Step No.	Milestone, Coordination or Concurrence Point	Information Provided or Action Taken	Who Contacted for Response	Information or Action Requested	Number of Days to Complete Activity	Estimated Date of Completion
7	<b>Concurrence Point #1</b> Agency meeting on purpose and need	Discuss purpose and need statement	Cooperating and participating agencies	Review for acceptance or reply on issues to be resolved	30 calendar days (Preliminary information sent 30 days prior to meeting)	<b>No meeting held</b> <b>Draft EIS Section 1 sent to agencies 10/29/10 (actual)</b> <b>Responses due 11/29/10</b>
8	Provide range of alternatives to be considered	Range of alternatives to be considered; identify alternatives that will be retained for detailed study	Cooperating and participating agencies	Provide comments on range of alternatives and those retained for detailed study (Draft EIS Sec. 2)	30 calendar days	<b>Draft EIS Section 2 sent to agencies 5/25/11 (actual)</b> <b>Responses due 6/25/11</b>
9	<b>Concurrence Point #2</b> Review range of alternatives considered	Discuss range of alternatives considered and alternatives that will be retained for detailed evaluation in Draft EIS	Cooperating and participating agencies	Provide comments on alternatives and WisDOT recommended alternative if one is identified at this time	30 calendar days (Preliminary information sent 30 days prior to meeting)	<b>Agency meeting on alternatives 7/25/11 (actual)</b> <b>Updated Draft EIS Section 2 sent to agencies 3/2012</b> <b>Responses due 4/2012</b>
10	Second Public Info. Meeting (PIM)	Availability of purpose and need and range of alternatives	Public, local officials and other stakeholders	Provide comments on purpose and need and range of alternatives	30 calendar days	<b>Second PIM 7/14/10 &amp; 8/4/10 (actual)</b> <b>A third PIM was also held on 2/10/11</b>
11	Draft EIS filed with EPA; availability notice published in Federal Register	Draft EIS	EPA filing section	Availability of Draft EIS published in Federal Register	14 calendar days	<b>6/2012</b>
12	Draft EIS circulated for review and comment	Draft EIS availability through distribution to cooperating and participating agencies, local officials and others on EIS mailing list, and through media announcements, project website and other sources	Cooperating and participating agencies, local officials, other stakeholders, and public	Review Draft EIS, provide comments	45 calendar days after information is sent	<b>6/2012</b>
13	Public hearing on Draft EIS with follow up as needed	Discuss purpose and need, alternatives, recommended alternative (if identified) and anticipated impacts	Public, local officials, cooperating and participating agencies	Provide comments on purpose and need, alternatives, recommended alternative (if identified) and anticipated impacts	45 calendar days	<b>8/2012</b>

Step No.	Milestone, Coordination or Concurrence Point	Information Provided or Action Taken	Who Contacted for Response	Information or Action Requested	Number of Days to Complete Activity	Estimated Date of Completion
14	<b>Concurrence Point #3</b> Agency meeting on preferred alternative with anticipated impacts and follow up as needed	Discuss preferred alternative, anticipated impacts, proposed mitigation measures	Cooperating and participating agencies	Provide comments on preferred alternative, anticipated impacts, proposed mitigation measures	30 calendar days (Preliminary information sent 30 days prior to meeting.)	11/2012
15	Final EIS filed with EPA; availability notice published in Federal Register	Final EIS	EPA filing section	Availability of Final EIS published in Federal Register	14 calendar days	12/2012
16	Final EIS circulated for review and comment	Final EIS availability through distribution to cooperating and participating agencies, local officials and others on EIS mailing list, and through media announcements, project website and other sources	Public, local officials, cooperating and participating agencies	Review Final EIS, provide comments	30 calendar days from notice of Final EIS in Federal Register (minimum)	12/2012
17	Record of Decision (ROD) issued	ROD availability through distribution to cooperating and participating agencies, and through local media announcements, project website and/or other sources	Cooperating and participating agencies and as deemed appropriate, local officials and the public	Acknowledge receipt of ROD	30 calendar days from notice of Final EIS in Federal Register or 45 calendar days from notice of Draft EIS in Federal Register (minimum)	3/2013
18	Statute of Limitations (SOL) notice published in Federal Register announcing final action has been taken (ROD) in NEPA phase	SOL notice	Federal Register	SOL published in Federal Register announcing final action taken (ROD) in NEPA phase	7 calendar days for SOL notice publication; 180 calendar days to file a claim	9/2013
19	Final concurrence in project contract-level mitigation measures	Proposed mitigation measures for commitments made in Final EIS, ROD, final design, and/or during individual agency contacts	Coordination with cooperating and participating agencies as deemed appropriate	Provide comments and/or process approval requests on proposed environmental commitments and mitigation measures	Approx. 3-6 months in advance of proposed contract letting dates)	Prior to Plans, Specifications and Estimates (PS&E)
21	Implementation of mitigation commitments in Final EIS and ROD	Mitigation commitments in Final EIS and ROD	Coordinate with cooperating and participating agencies as deemed appropriate	Provide comments and recommendations, and/or process approval requests on proposed mitigation commitments	Un-programmed (time as needed)	Ongoing until construction activities are completed

## **Section 5: Public Involvement Process**

### **5.1 Public Involvement**

Public involvement includes engaging key stakeholders, community members and the general public in the planning, design and development of proposed improvements. The general public involvement approach is based on the following objectives:

- Actively seek public input on the project's purpose and need, alternatives, and recommended course of action.
- Solicit, consider, answer and document public inquiries, suggestions, ideas, and concerns in the decision making process.
- Provide opportunities for the public to affect major decisions before those decisions are made
- Publicize project activities through a variety of communication venues such as newsletters, news releases, project website and informational meetings.
- Provide the public with efficient access to project information.

### **5.2 Identification of Environmental Justice Communities and Outreach**

To determine if Environmental Justice Communities are present in the study corridor, local demographic data for the City and Town of Waukesha and Waukesha County will be obtained from the U.S. Census (2000) and the Waukesha County Comprehensive Plan. The data will include information on population, ethnicity, and income. If 2010 U.S. Census data becomes available before the Draft EIS is approved it will be included in the EIS. The presence of minority and/or low-income populations will also be monitored through the study's public involvement program.

The study's public involvement process is designed to disseminate information on the project and to obtain public input. The process will include outreach to Environmental Justice Communities to ensure their participation in the decision making process.

### **5.3 Public Involvement in Purpose and Need Development**

The public had opportunity to participate in purpose and need development through the advisory committee meeting on May 6, the first public information meeting on May 18 and other neighborhood and outreach meetings during preparation of the Draft EIS. The public will also have an opportunity to comment on purpose and need at the public hearing and during the review period for the Draft EIS.

### **5.4 Public Involvement in Alternatives Identification and Analysis**

The public will have opportunities to participate in identifying the initial range of alternatives, the extent of alternatives analysis, the reasonable alternatives selected for detailed study and selection of a preferred alternative. Forums for participation include public information meetings, neighborhood and other outreach meetings during preparation of the Draft EIS. The second public information meeting will specifically solicit input on alternatives. There will also be opportunities to provide input on the alternatives at the public hearing, and during availability of the Draft and Final EIS for public review.

### **5.5 Public Involvement in Document Reviews**

The Draft and Final EIS will be made available for public review. The Coordination Plan and Impact Analysis Methodology will also be made available at public information meetings.

### **5.6 Additional Public Involvement Strategies**

The study team will prepare a Public Involvement Plan that will be a comprehensive "blueprint" of public involvement activities carried out during the course of the project. The plan will be updated as needed if changes to the proposed process are made. Additionally, a project mailing list will be developed that includes local government officials, elected officials, key stakeholders, agency representatives, property owners in and adjacent to the study corridor, meeting attendees, those who request information, and other study team contacts.

Project newsletters will be distributed to provide project information/updates and to announce public information meetings and other study milestones. News releases will be provided to local media outlets to announce the public information meetings and availability of the EIS for public review.

Three public information meetings are proposed. The first meeting focused on describing the study process, presenting the results of data gathering for the study area, information on transportation deficiencies and other factors relevant to project purpose and need. The draft agency coordination plan and impact assessment methodologies were available for review at this meeting. The draft Coordination Plan and Impact Analysis Methodology will be available for public review.

The second public information meeting will present information on the initial range of alternatives being considered.

The third public information meeting will be to present the refined alternatives and obtain input on the reasonable range of alternatives that will be carried forward for detailed evaluation.

A public hearing will be held during the Draft EIS comment period.

Study team members will meet with interest groups, neighborhood organizations, or individual property owners upon request to resolve as many concerns as possible. The project website will contain information such as contacts, newsletters, reports, study schedule, upcoming meeting information, exhibits from public information meetings and other information.

A community sensitive solutions (CSS) advisory committee representing a broad range of stakeholders was established to assist the study team in identifying key issues that should be considered in development of project purpose and need, alternatives, impact analyses and other aspects of the West Waukesha Bypass Study. The CSS advisory committee includes representatives such as local officials, state and federal review agencies, Southeastern Wisconsin Regional Planning Commission, neighborhoods, community leaders, environmental groups and other interests. The group met in March and May 2010 and three more meetings are planned.

## **5.7 Coordination with Local Officials**

Coordination with local officials will include their participation in the Advisory Group and through individual meetings as needed during the course of the study.

## **5.8 Availability of Coordination Plan for Agency and Public Involvement**

The Coordination Plan along with the Impact Analysis Methodology will be sent to Cooperating and Participating Agencies. The Plans will be reviewed at the agency scoping meeting and made available to the public at the public information meetings and public hearing. The Plans are also available for public review on Waukesha County's West Waukesha Bypass Study website and upon request at the WisDOT SE Region office and the Waukesha County Department of Public Works office.

## **Section 6: Tribal Involvement and Consultation**

### **6.1 Tribal Notifications of Proposed Project**

As part of the EIS activities, Tribes will be notified about the project purpose and need, alternatives being considered, initial Area of Potential Effect (APE), planned cultural resource investigations, and will be asked to provide input on cultural resource aspects. The Tribes will also be provided an opportunity to become Participating Agencies in the study and will be notified about public information meetings and the public hearing.

### **6.2 Tribal Consultation on Project Area of Potential Effect (APE)**

Tribal consultation regarding the project APE will be done as part of item 6.1.

### **6.3 Tribal Consultation on Cultural Resources Identified**

Interested Tribes will be notified about the results of the cultural resources investigation. The need for further consultation under Section 106 of the National Historic Preservation Act will depend on whether any significant cultural resources are found in the project's APE.

### **6.4 Tribal Consultation on Effects**

The need for Tribal consultation under Section 106 of the National Historic Preservation Act will depend on whether any significant cultural resources are found in the project's APE.

## Section 7: Summary of all Project Meetings to Date

### 7.1 List of Project Meetings with Agencies or the Public

Date	Meeting	Remarks
<b>Community Sensitive Solutions (CSS) Advisory Committee</b>		
3/24/10	First CSS workshop	Introduce the West Waukesha Bypass study, explain the CSS process, and identify factors that should be addressed in the study.
5/6/10	Second CSS workshop	Further review and ranking of factors to be addressed in the study.
6/22/10	Third CSS workshop	Focused on identifying positive and negative aspects of the preliminary range of alternatives.
9/15/10	Fourth CSS workshop	Review criteria for screening preliminary alternatives, obtain input on alternatives that should be eliminated or retained for further study.
1/30/11	Fifth CSS workshop	Update committee on traffic and impact aspects of the alternatives under consideration, evaluation of alternatives through rating exercise.
<b>Public Information Meetings</b>		
5/18/2010	First public information meeting	Introduce the West Waukesha Bypass study, describe study purpose and goals, provide background on existing transportation deficiencies and environmental resources, obtain public views on the need for and possible locations for a future bypass.
7/14/2010 and 8/4/2010	Second public information meeting (second session held on 8/4 due to some concern about timeliness of the notice for the 7/14 meeting)	Obtain public input on the initial range of alternatives. Copies of Draft CP and IAM also available for public review and comment.
2/10/11	Third public information meeting	Obtain public input on latest range of alternatives. Copies of the Draft CP and IAM also available for public review and comment.
<b>Local Officials</b>		
3/4/10	City of Waukesha Board of Public Works	Briefing on study process and schedule.
3/11/10	Waukesha County Board Public Works Committee	Briefing on study process and schedule.
4/16/10	Waukesha Chamber of Commerce Southside Business Council	Briefing on study process and schedule.
6/15/10	Waukesha School District	Study overview, review of preliminary alternatives and possible effects on school district property on west side of Merrill Hills Road.
7/13/10	Local elected officials	Briefing on study process and schedule.
7/20/10	Agency scoping meeting	Obtain input from cooperating and participating agencies on significant issues to be addressed in the EIS, purpose and need factors, and preliminary range of alternatives.

Date	Meeting	Remarks
9/23/10	Town of Waukesha	Briefing on study process and schedule.
10/14/10	Waukesha County Board Public Works Committee	Study update, information on alternatives being considered for elimination or further evaluation.
10/19/10	Waukesha City Council	Study update, information on alternatives being considered for elimination or further evaluation.
1/27/11	Town of Waukesha Board and Plan Commission	Study update, information on alternatives being considered for elimination or further evaluation.
3/10/11	Waukesha County Board Transportation Committee	Study update, information on alternatives being considered for elimination or further evaluation, summary of input from 2/10/10 public information meeting.
3/30/11	Town of Waukesha, three Town Board Supervisors	Obtain input on potential indirect and cumulative effects.
4/29/11	Newly elected City of Waukesha alderman (Reiland)	Briefing on study process and schedule.
6/6/11	City of Waukesha Parks, Recreation and Forestry Board Meeting	Study overview, alternatives, potential land acquisition from former Pewaukee fire station parcel, Kisdon Hill Park, and Pebble Creek Park.
9/12/11	City of Waukesha Parks, Recreation and Forestry Board Meeting	Obtain input on study team's request to pursue a de minimus Section 4(f) finding for potential parkland impacts; motion made to concur in de minimus finding.
9/26/11	City of Waukesha alderman (Ybarra)	Discuss bicycle and pedestrian safety near north end of project (possible measures to enhance safety for bicycle/pedestrian crossings of Meadowbrook Road).
<b>State and Federal Review Agencies</b>		
3/25/10	DNR and WisDOT SE Region wetland ecologist	Briefing on study process and schedule; discussed DNR concerns about an alignment through the Pebble Creek corridor.
7/20/10	Agency scoping meeting	Obtain input from cooperating and participating agencies on significant issues to be addressed in the EIS, purpose and need factors, and preliminary range of alternatives.
7/25/11	Inter-agency meeting	Study update, review information on natural resources in the Pebble Creek corridor; obtain input on alternatives and discuss agency concerns.
9/26/11	Inter-agency field review of environmental resources in project corridor	Review of alternatives being considered, review of wetland delineations and groundwater information, field review of wetlands and other resources in the Pebble Creek and Sunset to County X corridors.
<b>Miscellaneous Community Outreach</b>		
8/23/10	Kisdon Hill neighborhood meeting	Briefing on study process and schedule, obtain citizen input on issues and concerns that should be addressed in the development and evaluation of alternatives.
11/8/10	Meeting with two home/business owners on Merrill Hills Road	Summary of current alternatives including an alternative along Merrill Hills Road; obtain input on issues and concerns.
11/11/10	Merrill Hills Country Club and residents of Merrill Hills neighborhood	Briefing on study and current range of alternatives being considered; obtain input on issues and concerns.
11/16/10	Waukesha County Business Alliance	Briefing on study and current range of alternatives being considered; obtain input on issues and concerns.

Date	Meeting	Remarks
11/17/10	Meadowbrook School	Briefing on study and current range of alternatives being considered including traffic signal options near Meadowbrook School; obtain input on issues and concerns.
3/3/11	Kisdon Hill Court interest group (Waukesha County and City of Waukesha representatives, and Kisdon Hill Court resident)	Review options for reconstruction of the Kisdon Hill Court connection to County TT; obtain input on issues and concerns.
3/9/11	Property owners (County TT/Sunset Drive and County TT across from Kame Terrace)	Review of alternatives and potential impacts on properties in the County TT/Sunset Drive and Kame Terrace areas), obtain input on issues and concerns.
4/9/11	Meadowbrook School parents and residents near school	Review of alternatives and potential impacts in the vicinity of Meadowbrook School; obtain input on issues and concerns.
6/13/11	Harrogate Drive Condo owners (Condos located in northeast corner of County TT/Madison Street intersection)	Study overview, review of current range of alternatives being considered in the Harrogate Drive area; obtain input on issues and concerns.
8/22/11	Waukesha Rotary Club	Study overview and review of current range of alternatives being considered; obtain input on issues and concerns.
10/18/11	Merrill Hills Country Club	Discuss potential impacts to country club if the Golf Course East alternative would be shifted onto the country club property to avoid homes on the west side of Merrill Hills Road.



# FORMAL DISPUTE RESOLUTION PROCESS

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