

AMENDED PROGRAMMATIC AGREEMENT  
AMONG  
FEDERAL HIGHWAY ADMINISTRATION,  
WISCONSIN STATE HISTORIC PRESERVATION OFFICER,  
AND  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING  
WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT ID #1060-27-00  
WHS #13-0065

I-94 EAST-WEST CORRIDOR STUDY  
(70<sup>th</sup> Street to 16<sup>th</sup> Street)  
CITY OF MILWAUKEE  
MILWAUKEE COUNTY

**WHEREAS**, the Federal Highway Administration (FHWA) proposes to improve the Interstate 94 (I-94) East-West Corridor, Milwaukee, Wisconsin, described as the Preferred Alternative in the *Supplemental Final Environmental Impact Statement*; and

**WHEREAS**, FHWA proposes to make improvements to I-94 to 3.5 miles of I-94 in Milwaukee, Wisconsin, from 70th Street (west terminus) to 16th Street (east terminus), including the mainline, interchanges, and bridges (Project), as illustrated in Attachment 1; and

**WHEREAS**, off-interstate intersection improvements are included in this Project at the intersections of National Avenue and Miller Park Way, National and Greenfield avenues, and Greenfield Avenue at 70th Street intersections, as well as the Washington Street extension; and

**WHEREAS**, FHWA is the lead agency on this Project and is, therefore, responsible for compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and its implementing regulations provided in 36 Code of Federal Regulations (CFR) Part 800; and

**WHEREAS**, FHWA as the lead agency on this Project is responsible for compliance with Section 110 of the NHPA, particularly Section 110(f) regarding National Historic Landmarks (NHL); and

**WHEREAS**, FHWA has established the Project's area of potential effects (APE), as defined at 36 CFR 800.16(d), in consultation with the Wisconsin State Historic Preservation Officer (SHPO) and Consulting Parties; the APE includes the entirety of the 3.5-mile segment of I-94 between 70th Street and 16th Street, including the I-94 eastbound lanes, I-94 westbound lanes, the Stadium Interchange, and the properties adjacent to I-94, Wisconsin State Highway 175/Brewers Boulevard, and other roads crossing over or under I-94 that would be reconstructed, and encompasses the entirety of the identified historic properties that intersect with or are adjacent to I-94 (see Attachment 2); and

**WHEREAS**, FHWA has determined that the development of a Programmatic Agreement (PA), in accordance with 36 CFR 800.14(b)(1)(ii), is warranted because some details of the Project cannot be determined until final design and the effect on historic properties is conditional, based on completion of the stipulations contained herein; and

**WHEREAS**, FHWA has identified the following historic properties within the APE: Northwestern Branch, National Home for Disabled Volunteer Soldiers' National Historic Landmark (Soldiers' Home NHL); Northwestern Branch, National Home for Disabled Volunteer Soldiers' National Register Historic District (Soldiers' Home Historic District); Soldiers' Home Reef NHL; Calvary Cemetery; Story Hill Residential Historic District 1; Story Hill Residential Historic District 2 and 3; Paradise Theater; 16th Street Viaduct; and the West St. Paul Avenue Industrial Historic District; and

**WHEREAS**, FHWA has identified that the following previously recorded burial sites are overlapped by the APE: MI-0030/BMI-0158, MI-0087/BMI-0159, MI-0089/BMI-0144, BMI-0023, BMI-0024, BMI-0025, BMI-0026, and BMI-0182; and

**WHEREAS**, of the 8 previously recorded burial sites, that FHWA has identified that the following six burial sites will be overlapped by ground-disturbing activities and require the completion of a Request to Disturb under Wisconsin State Statute § 157.70: MI-0030/BMI-0158, MI-0087/BMI-0159, MI-0089/BMI-0144, BMI-0024, BMI-0025, and BMI-0026; and

**WHEREAS**, FHWA has determined that the Project will have no adverse effect on the Soldiers' Home Reef NHL; Story Hill Residential District 1; Story Hill Residential District 2 and 3; Paradise Theater; 16th Street Viaduct; and the West St. Paul Avenue Industrial Historic District; and

**WHEREAS**, FHWA has determined that the Project will have no adverse effect on the Soldiers' Home NHL, the Soldiers' Home National Register Historic District, and the Calvary Cemetery based on implementation of the conditions in this agreement; and

**WHEREAS**, the purpose of this PA is to ensure the Project will have no adverse effect on historic properties as determined by FHWA in the *Revised Assessment of Adverse Effects for the I-94 East-West Corridor Project*, dated September 24, 2014 and the Addendum to that document, dated November 02, 2015; and

**WHEREAS**, Story Hill Residential Historic District 2 and 3 is eligible for the construction of a noise barrier to reduce noise levels at benefitted receptors, and effects related to Section 106 regarding the construction of a noise barrier have not been determined; and

**WHEREAS**, letters describing the Project and its objectives and inviting participation were sent to the following federally-recognized Indian Tribes: Bad River Band of Lake Superior, Chippewa Indians of Wisconsin; Sac & Fox Nation of Oklahoma; Sokaogon Chippewa Community, Mole Lake Band; Forest County Potawatomi, Community of Wisconsin; Ho-Chunk Nation; Lac Vieux Desert Band of Lake Superior Chippewa Indians; Menominee Nation; Prairie Band Potawatomi Nation; Red Cliff Band of Lake Superior, Chippewa Indians of Wisconsin; Sac & Fox Nation of Mississippi in Iowa; and Sac & Fox Nation of Missouri in Kansas and Nebraska; and

**WHEREAS**, the Forest County Potawatomi, Community of Wisconsin has participated in Section 106 consultation and has been invited to sign this PA as a Concurring Party to this PA; and

**WHEREAS**, FHWA has consulted with the Advisory Council on Historic Preservation (Council), SHPO, National Park Service, National Trust for Historic Preservation, City of Milwaukee Historic Preservation Commission, Archdiocese of Milwaukee Catholic Cemeteries, Beth Hamedrosh-Hagodel Cemetery, Wood National Cemetery, Department of Veterans Affairs Medical Center, Department of Veterans Affairs National Cemetery Administration, Department of Veterans Affairs Office of Construction and Facilities Management, Story Hill Neighborhood Association, and Milwaukee Preservation Alliance in accordance with 36 CFR Part 800.6(b)(2); and

**WHEREAS**, in this PA, "Signatories" refers to: Signatories, as defined in 36 CFR 800.6(c)(1) and Invited Signatories, as defined in 36 CFR 800.6(c)(2); and

**WHEREAS**, the Council has elected to participate in the Section 106 consultation process and is a Signatory to this PA; and

**WHEREAS**, as the agency having oversight of the Soldiers' Home NHL, the National Park Service has participated in consultation and is an Invited Signatory to this PA; and

**WHEREAS**, Wisconsin Department of Transportation (WisDOT) participated in the Section 106 consultation and is an Invited Signatory to this PA; and

**WHEREAS**, the Department of Veteran Affairs (VA) National Cemetery Administration (NCA) participated in the Section 106 consultation and is an Invited Signatory to this PA; and

**WHEREAS**, the VA Medical Center has participated in the Section 106 consultation, and is an Invited Signatory to this PA; and

**WHEREAS**, the following are Consulting Parties, have participated in the Section 106 consultation process, and have been invited to sign this PA as Concurring Parties, in accordance with 36 CFR 800.6(c)(3): Milwaukee Preservation Alliance, Archdiocese of Milwaukee Catholic Cemeteries, National Trust for Historic Preservation, City of Milwaukee Historic Preservation Commission, and Beth Hamedrosh-Hagodel Cemetery; and

**WHEREAS**, this agreement supersedes the agreement executed August 23, 2016, among the FHWA, WisDOT, and the Council; and

**NOW, THEREFORE**, FHWA, SHPO, the Council, and WisDOT agree that, upon FHWA's decision to proceed with the Project, FHWA shall ensure that the following stipulations are implemented in order to take into account the effects of the Project on historic properties, and that these stipulations shall govern the Project:

### STIPULATIONS

FHWA in coordination with WisDOT shall ensure the following stipulations are implemented to ensure adverse effects from the Project to the Soldiers' Home NHL, the Soldiers' Home National Register Historic District and the other identified historic properties are avoided.

#### I. DESIGN REVIEW

##### A. Design Coordination Plan

WisDOT or its agent will create a Design Coordination Plan in order to ensure the Project is designed in a way that will not adversely affect historic properties. The draft Design Coordination Plan will be submitted to Signatories and Consulting Parties for review and comment in accordance with Stipulation VI prior to implementation and will include:

1. Zablocki Drive Bridge and approaches
2. Height of I-94 adjacent to Wood National Cemetery of the Soldiers' Home NHL and Historic District
3. Access to Soldiers' Home NHL and Historic District
4. Locations covered by the plan
5. Benchmarks for review
6. Timeframe for review
7. Definition of design review process

##### B. Implement Design Coordination Plan.

#### II. PREPARE CONSTRUCTION STAGING PLAN

WisDOT or its agent will prepare a Construction Staging Plan prior to initiation of construction in the vicinity of historic properties. The Construction Staging Plan will cover the locations of the construction staging areas for storage and staging of active construction in order to avoid impacts to historic properties. The draft Construction Staging Plan will be submitted to Signatories and Consulting Parties for review and comment in accordance with Stipulation VI prior to implementation of the plan and will include, but not be limited to:

- A. Identification of locations and sizes of staging areas for storage of construction materials and equipment outside WisDOT right-of-way to avoid adverse effects to historic properties
- B. Staging of active construction activities within WisDOT right-of-way

1. Location and timing of staging activities
  2. Connectivity between the two sides of Wood National Cemetery (north and south of I-94) will be provided during construction and stipulated in the plan.
- C. If any staging area or construction activity is located within a cemetery boundary WisDOT will submit the state Request to Disturb a Human Burial Site form, in accordance with Wisconsin Statute 157.70.
- D. The Construction Staging Plan will be incorporated into appropriate documents
- E. Implement the Construction Staging Plan

### III. PRE-CONSTRUCTION WALK THROUGH

WisDOT or its agent will define the parameters and goals for up to two pre-construction walk-through(s) with the Signatories and Consulting Parties to this PA prior to the commencement of construction activities. Criteria for pre-construction walk through parameters include:

- A. Goals of the walk through(s)
- B. Area(s) covered by the walk through(s)
- C. Participants of the walk through(s)
- D. Timeframe for the walk through(s)

### IV. SOLDIERS' HOME NATIONAL HISTORIC LANDMARK AND NATIONAL REGISTER HISTORIC DISTRICT

#### A. Wood National Cemetery

##### 1. Landscape Plan

WisDOT or its agent will prepare a Landscape Plan for areas adjacent to I-94 for adoption prior to completion of the freeway design for the portion of the Project adjacent to Wood National Cemetery. WisDOT or its agent will submit the draft Landscape Plan to Signatories and Consulting Parties for review and comment in accordance with Stipulation VI prior to implementation of the plan. The Landscape Plan will include, but not be limited to:

- a. Area covered by the Plan
- b. Landscape Plan will be consistent with the historic character of the Soldiers' Home NHL and Historic District landscape as defined in the Soldiers' Home Historic American Landscape Survey
- c. Implement the Landscape Plan

##### 2. Wall Design Plan

Create a Design Plan for the walls on the north and south sides of I-94. The draft plans will be submitted to Signatories and Consulting Parties for review and comment in accordance with Stipulation VI prior to implementation.

- a. Create a Design Plan for the walls that will include specifications for the design, height, size, materials, and appearance of the walls. The draft Design Plan for the Wood National Cemetery walls will be submitted to Signatories and Consulting Parties for review and comment, in accordance with Stipulation VI, prior to implementation.
- b. Implement the Wall Design Plan.

##### 3. Prepare Signage Plan

WisDOT or its agent will prepare a Signage Plan prior to completion of the of the freeway design. The draft Signage Plan will be submitted to Signatories and Consulting Parties for review and comment, in accordance with Stipulation VI, prior to implementation of the plan and will include, but not be limited to:

- a. Area covered by the Plan
  - b. Types of signage covered by the Plan
    - i. Type 1 highway signage
    - ii. NHL/Wood National Cemetery signage
  - c. Location of signage
  - d. Minimize Type 1 highway signage where I-94 passes through Wood National Cemetery
  - e. Design of signage
  - f. Implement the Signage Plan
4. Prepare Monitoring Plan

WisDOT or its agent will prepare a Monitoring Plan prior to completion of I-94 design for the segment of the Project adjacent to the NHL and Historic District. The draft Monitoring Plan will be submitted to Signatories and Consulting Parties for review and comment in accordance with Stipulation VI prior to implementation of the Plan. The Monitoring Plan will include:

- a. Area(s) covered by the Plan
  - b. Construction activities covered under the Plan
  - c. Obtain proper permits and authorizations including filing a *Request to Disturb a Human Burial* form prior to any ground disturbance within the boundary.
  - d. Assess appropriate vibration criteria, if applicable
  - e. Monitoring provisions
  - f. Determine if any buildings or structures would be included in the Plan
  - g. Raise and align survey for grave markers within Wood National Cemetery
  - h. Implement the Monitoring Plan
- B. National Avenue at Brewer Boulevard Improvements Plan

As part of the off-interstate intersection improvements, WisDOT will prepare a plan for the improvements to National Avenue. The draft Plan will be submitted to Signatories and Consulting Parties for review and comment in accordance with Stipulation VI prior to implementation of the Plan. The plan will ensure no adverse effects on the Soldiers' Home NHL from on the off-interstate intersection improvements at National Avenue and General Mitchell Drive, and will include measures to:

1. Minimize the footprint of the widening
2. Minimize impacts to identified heritage trees within the Soldiers' Home NHL, as defined in the Soldiers' Home Historic American Landscape Survey
3. Minimize visual impact on the Soldiers' Home NHL through additional landscaping features, in accordance with the Historic American Landscape Survey

4. Implement the Improvements Plan

V. STORY HILL RESIDENTIAL HISTORIC DISTRICT 2 AND 3

A. Noise Barrier Design Plan

WisDOT or its agent will prepare a Noise Barrier Design Plan after execution of this PA. The draft Noise Barrier Design Plan will be submitted to Signatories and Consulting Parties for review and comment in accordance with Stipulation VI prior to voting by the benefitted receptors. Should the benefitted receptors vote in favor of a noise barrier, the FHWA and WisDOT shall assess its impacts to the Story Hill Residential Historic Districts, consider means to avoid or minimize any adverse effects, and as appropriate develop and carry out a treatment plan in consultation with the Signatories and Consulting Parties consistent with the provisions of 36 CFR 800.

1. The Noise Barrier Design Plan will address the visual effects of the noise barrier on the setting of the historic district. The plan will include, at a minimum:
  - a. Area covered by the noise barrier.
  - b. Visual effects on the setting of the historic district.
  - c. Range of aesthetics options to be presented at the noise barrier public involvement meeting.
  - d. Noise barrier will be sited outside of the boundaries of the historic district.
2. If a simple majority of the benefitted receptors vote in favor of the noise barrier, implement noise barrier plan.
3. If there is not a simple majority of the benefitted receptors in favor of the noise barrier, the barrier will not be constructed.

VI. CONSULTATION AND REVIEW

- A. FHWA in coordination with WisDOT will consult with the Signatories and the Consulting Parties as required by the stipulations of this PA.
- B. FHWA in coordination with WisDOT will submit reports and plans to the Signatories and Consulting Parties for review and comment. Respondents will have thirty (30) calendar days to review and comment on submissions.
  1. FHWA in coordination with WisDOT will respond in writing to written comments.
  2. There will be an opportunity for Signatories and Consulting Parties to review the responses to the comments submitted under VI.B.
- C. In the event of unresolved disagreement among the parties regarding the comments on a particular stipulation, the matter will be addressed in accordance with Stipulation X, Dispute Resolution.

VII. ARCHAEOLOGICAL RESOURCES

A. Unanticipated Discoveries and Unanticipated Effects

1. WisDOT will insert into all contracts for excavation, construction, or other ground-disturbing activities during the Project the procedures described below for the treatment of unanticipated discoveries and effects to archeological resources. WisDOT will ensure the processes described below are followed in order to minimize the risk of construction delay.
2. If significant archaeological resources are discovered during construction within

the APE, WisDOT shall halt all work immediately involving ground disturbance in the immediate area of the discovery until the archeological resources can be identified, documented, and an appropriate mitigation strategy is developed for consultation. WisDOT will consult with Signatories and Consulting Parties regarding the findings and recommendations.

3. Upon making the discovery, WisDOT shall notify the Signatories and Consulting Parties regarding the following:
  - a. Assessment of whether the data available permit a determination of eligibility for the NRHP, and, if not, plans to complete an archeological report of investigations of the identified resources, or
  - b. If the resources are eligible for listing in the NRHP, the actions that WisDOT proposes to resolve the potential adverse effects
  - c. Interested parties shall have five (5) business days (not including a federal holiday) from receipt of written notification to respond to WisDOT.
  - d. WisDOT shall take into account recommendations provided by the Signatories and Consulting Parties. FHWA shall make a final decision on proposed actions.
  - e. Disputes regarding the final decision will be resolved in accordance with Stipulation X Dispute Resolution.

**B. Human Burial Sites**

- a. Under Wisconsin State Statute §157.70, no human burial site, including cemeteries and Native American mound groups, may be disturbed without authorization from the director of the Wisconsin Historical Society. Permission must be obtained by one year prior to any ground disturbance within the boundary of each burial site (MI-0030/BMI-0158, MI-0087/BMI-0159, MI-0089/BMI-0144, BMI0024, BMI-0025, and BMI-0026). Work with WisDOT CRT to complete the process
  - i. Authorization is granted for one year and must be renewed.

**VIII. DISCOVERY OF HUMAN REMAINS**

- A. WisDOT will insert into all contracts for excavation, construction, or other ground-disturbing activities in the Project the procedures described below for the treatment of inadvertent/accidental human remain discoveries. WisDOT will ensure the processes described below are followed in order to minimize harm and damage/disturbance to human burial sites.
- B. If human remains are inadvertently/accidentally discovered during implementation of the Project, all ground disturbing activities in the immediate area of the discovery shall halt until the following actions have been carried out, in accordance with Wisconsin Statute §157.70 and the Native American Graves Protection and Repatriation Act, as required. WisDOT CRT will be contacted immediately if human remains are discovered. WisDOT shall immediately implement measures to protect the human remains from inclement weather and vandalism and notify appropriate law enforcement officials to determine whether or not the remains are subject to a criminal investigation by local or federal authorities. NCA will be notified and consulted if human remains are discovered within or adjacent to Wood National Cemetery.
- C. WisDOT shall provide sufficient information to allow law enforcement to determine if the

remains are or are not subject to a criminal investigation by local or federal authorities.

1. If it is determined the human remains are not subject to a criminal investigation by local or federal authorities, FHWA/WisDOT shall obtain the services of qualified cultural resource professionals to comply with all applicable federal (Native American Graves Protection and Repatriation Act when relevant), state (Wisconsin Statute 157.70), and local laws governing the discovery and disposition of human remains.
  2. If it is determined Native American human remains or funerary objects have been discovered in a parcel/land owned by the federal government, FHWA/WisDOT shall immediately notify the appropriate federal land manager, affected Indian tribes, and consulting parties of this PA (within 24 to 48 hours; not including a holiday).
  3. If it is determined human remains have been discovered on state, state sub-division, or private lands FHWA/WisDOT shall immediately notify the SHPO, and the consulting parties of this PA (within 24 to 48 hours; not including a holiday).
- D. Before making any final decision regarding the treatment of human remains, FHWA/WisDOT shall within five (5) business days (not including a federal holiday) after discovery of such remains initiate consultation with the Council, SHPO, Indian tribes (if applicable), and Consulting Parties to prepare and implement treatment measures and treatment plans in accordance with applicable federal, state (Wisconsin Statute 157.70) and local laws.

#### IX. REPORTING

- A. Annual Reports. In order to monitor completion of the stipulations contained in this PA, WisDOT, on behalf of FHWA, will prepare and submit one (1) report per year to Signatories and Consulting Parties summarizing the actions taken to fulfill the stipulations of this PA.
- B. Annual Meetings. WisDOT will hold annual meetings, as needed or requested by the Signatories and Consulting Parties to discuss activities carried out pursuant to this PA during the preceding year and activities scheduled for the coming year. Annual reports, as described in Stipulation IX.A., shall be distributed to the Signatories and Consulting Parties at least fifteen (15) calendar days prior to the annual meeting, if held.
- C. Schedule. The timeframe for the annual reports and annual meetings will commence from the execution date of this PA.
- D. Final Report. A final report describing the completion of the stipulations contained in this PA will be submitted to Signatories and Consulting Parties three (3) months prior to the PA expiration date, as defined in Stipulation XVII.

#### X. DISPUTE RESOLUTION

- A. Should any Signatory to this PA object within thirty (30) calendar days to any documentation or materials submitted for review, actions proposed, or review comments submitted pursuant to this PA, FHWA shall consult with the objecting party and/or parties to resolve the objection.
- B. If FHWA determines that the objection cannot be resolved, FHWA shall forward documentation relevant to the dispute and request comment from the Council. Within forty-five (45) days after receipt of pertinent documentation, the Council will either provide FHWA with comments that FHWA will take into account in reaching a final decision regarding the dispute or notify FHWA that it will comment pursuant to 36 CFR 800.7(c) and proceed to comment. Any Council comment provided in response to such a request shall be



taken into account by FHWA in accordance with 36CFR 800.7(c)(4) with reference to the subject of the dispute. Any Council recommendation or comment will be understood to pertain only to the subject of the dispute; FHWA's responsibility to carry out other actions under this PA that are not subjects of the dispute will remain unchanged.

C. FHWA shall notify the Signatories and Consulting Parties of its final decision.

#### XI. AMENDMENTS

Any Signatory to this PA may propose that it be further amended, whereupon the Signatory shall consult with the other Signatories within thirty (30) calendar days of the proposal to consider an amendment. Any such amendment shall be effective on the date a fully executed copy is filed with the Council.

#### XII. TERMINATION

A. If any Signatory to the PA determines that the PA's terms will not or cannot be carried out, that party shall immediately consult with the other Signatories to attempt to develop an amendment, per Stipulation XI. If an amendment cannot be reached, any Signatory may terminate the PA upon written notification to the other Signatories.

B. Once the PA is terminated, and prior to work continuing on the Project, FHWA must either:  
1) execute a subsequent agreement pursuant to 36 CFR 800.6, or 2) request, take into account, and respond to the comments of the Council under 36 CFR 800.7.

C. FHWA shall notify the Signatories and Consulting Parties of its final decision.

#### XIII. MONITORING

Signatories may request to monitor activities carried out pursuant to this PA. If FHWA determines that monitoring will cause safety and scheduling concerns, FHWA will cooperate with the Signatories to carry out their monitoring and review requests.

#### XIV. PERSONNEL QUALIFICATIONS

All historic properties work performed pursuant to this PA will be carried out by or under the direct supervision of historians, architectural historians, historic landscape architects, and/or archeologists, as appropriate to the affected resource(s), who meet or exceed the *Secretary of the Interior's Historic Preservation Professional Qualification Standards* set forth in 62 Fed. Reg. 33,707 (June 20, 1997), as they may be amended.

#### XV. PRINCIPLES AND STANDARDS

FHWA and WisDOT agree that historic properties investigations performed pursuant to this PA shall be conducted in a manner consistent with the principles and standards contained in *Secretary of the Interior's Standards for the Treatment of Historic Properties* (36 CFR Part 68), *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* (1983, as amended), and *Recommended Approach for Consultation on Recovery of Significant Information from Archeological Sites* (ACHP May 18, 1999, 64 FR 27085-27087), and Chapter 26 of WisDOT's Facilities Development Manual.

#### XVI. ELECTRONIC COPIES

A. Programmatic Agreement: FHWA or WisDOT shall provide each Signatory and Concurring Party with one legible, full-color, electronic copy of the fully-executed PA and its attachments no more than thirty (30) days after execution. If the electronic copy is too large to send via e-mail, FHWA or WisDOT shall provide each Signatory and Concurring Party with a copy of the executed PA electronically. Parties may request hard copies of the executed

PA.

- B. Reports and Plans: Draft and final reports and plans stipulated in this agreement to be submitted for review and comment shall be submitted to the appropriate parties, in accordance with each stipulation, in electronic format. Signatories and Consulting Parties may request hard copies of the reports and plans.

XVII. DURATION

The terms of this PA shall commence on the date the last signature is affixed hereto and shall expire when all Stipulations are completed, or fifteen (15) years from the date of execution, whichever occurs first, unless the Signatories agree in writing to an extension, or the PA is otherwise terminated.

Execution of this PA by FHWA, SHPO, the Council, and WisDOT prior to FHWA approval of this Project, and implementation of its terms, evidences that FHWA has taken into account the effects of this Project on historic properties and has afforded the Council an opportunity to comment on the Project.

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WHS #13-0065

I-94 EAST-WEST CORRIDOR STUDY  
(70th Street to 16th Street)  
CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Federal Highway Administration



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FHWA

By:

Signature

Print Name:

Glenn D. Fulkerson

Date:

08/28/2023

**SIGNATORY PAGE**

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(70th Street to 16th Street)  
CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Wisconsin State Historic Preservation Officer

By:



Signature

Print Name:

Daina Penkiunas

Date:


8/9/2023

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MILWAUKEE COUNTY

Advisory Council on Historic Preservation

By:   
\_\_\_\_\_  
Signature

Print Name: Reid Nelson, Executive Director

Date: February 14, 2024

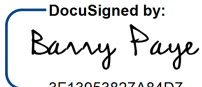
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CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Invited Signatory:

Wisconsin Department of Transportation

By:   
3F13953027A04D7...  
Signature \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: 03 August 2023  
\_\_\_\_\_


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MILWAUKEE COUNTY

Invited Signatory:

National Park Service

By:  Digitally signed by HERBERT  
FROST  
Date: 2023.06.29 14:12:44 -05'00'

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Signature

Print Name: Herbert C. Frost, Ph.D., Regional Director, Interior Regions 3, 4, 5

Date: June 29, 2023

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CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Invited Signatory:

Department of Veterans Affairs Zablocki Medical Center

By: JAMES D MCLAIN 124813 Digitally signed by JAMES D MCLAIN 124813  
Date: 2023.07.07 13:43:40 -05'00'  
Signature

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_



**INVITED PARTY SIGNATORY PAGE**

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WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT ID #1060-27-00  
WHS #13-0065

I-94 EAST-WEST CORRIDOR STUDY  
(70th Street to 16th Street)  
CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Invited Signatory:

National Cemetery Administration

By: **Quincy M McCall** Digitally signed by Quincy M  
559673 McCall 559673  
Signature Date: 2023.07.07 07:48:34 -05'00'

Print Name: Quincy M. McCall

Date: July 7, 2023

**CONCURRING PARTY SIGNATORY PAGE**

AMENDED PROGRAMMATIC AGREEMENT  
AMONG  
FEDERAL HIGHWAY ADMINISTRATION,  
WISCONSIN STATE HISTORIC PRESERVATION OFFICER,  
AND  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING  
WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT ID #1060-27-00  
WHS #13-0065

I-94 EAST-WEST CORRIDOR STUDY  
(70th Street to 16th Street)  
CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Concurring Party:

Forest County Potawatomi, Community of Wisconsin

By: \_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**CONCURRING PARTY SIGNATORY PAGE**

AMENDED PROGRAMMATIC AGREEMENT  
AMONG  
FEDERAL HIGHWAY ADMINISTRATION,  
WISCONSIN STATE HISTORIC PRESERVATION OFFICER,  
AND  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING  
WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT ID #1060-27-00  
WHS #13-0065

I-94 EAST-WEST CORRIDOR STUDY  
(70th Street to 16th Street)  
CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Concurring Party:

Archdiocese of Milwaukee Catholic Cemeteries

By: \_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**CONCURRING PARTY SIGNATORY PAGE**

AMENDED PROGRAMMATIC AGREEMENT  
AMONG  
FEDERAL HIGHWAY ADMINISTRATION,  
WISCONSIN STATE HISTORIC PRESERVATION OFFICER,  
AND  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING  
WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT ID #1060-27-00  
WHS #13-0065

I-94 EAST-WEST CORRIDOR STUDY  
(70th Street to 16th Street)  
CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Concurring Party:

Beth Hamedrosh-Hagodel Cemetery

By: \_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**CONCURRING PARTY SIGNATORY PAGE**

AMENDED PROGRAMMATIC AGREEMENT  
AMONG  
FEDERAL HIGHWAY ADMINISTRATION,  
WISCONSIN STATE HISTORIC PRESERVATION OFFICER,  
AND  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING  
WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT ID #1060-27-00  
WHS #13-0065

I-94 EAST-WEST CORRIDOR STUDY  
(70th Street to 16th Street)  
CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Concurring Party:

City of Milwaukee Historic Preservation Commission

By: \_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**CONCURRING PARTY SIGNATORY PAGE**

AMENDED PROGRAMMATIC AGREEMENT  
AMONG  
FEDERAL HIGHWAY ADMINISTRATION,  
WISCONSIN STATE HISTORIC PRESERVATION OFFICER,  
AND  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING  
WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT ID #1060-27-00  
WHS #13-0065

I-94 EAST-WEST CORRIDOR STUDY  
(70th Street to 16th Street)  
CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Concurring Party:

Milwaukee Preservation Alliance

By: \_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**CONCURRING PARTY SIGNATORY PAGE**

AMENDED PROGRAMMATIC AGREEMENT  
AMONG  
FEDERAL HIGHWAY ADMINISTRATION,  
WISCONSIN STATE HISTORIC PRESERVATION OFFICER,  
AND  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING  
WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT ID #1060-27-00  
WHS #13-0065

I-94 EAST-WEST CORRIDOR STUDY  
(70th Street to 16th Street)  
CITY OF MILWAUKEE  
MILWAUKEE COUNTY

Concurring Party:

National Trust for Historic Preservation

By: \_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_



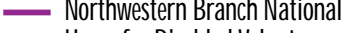
Date: \_\_\_\_\_


Attachment 1  
Preferred Alternative

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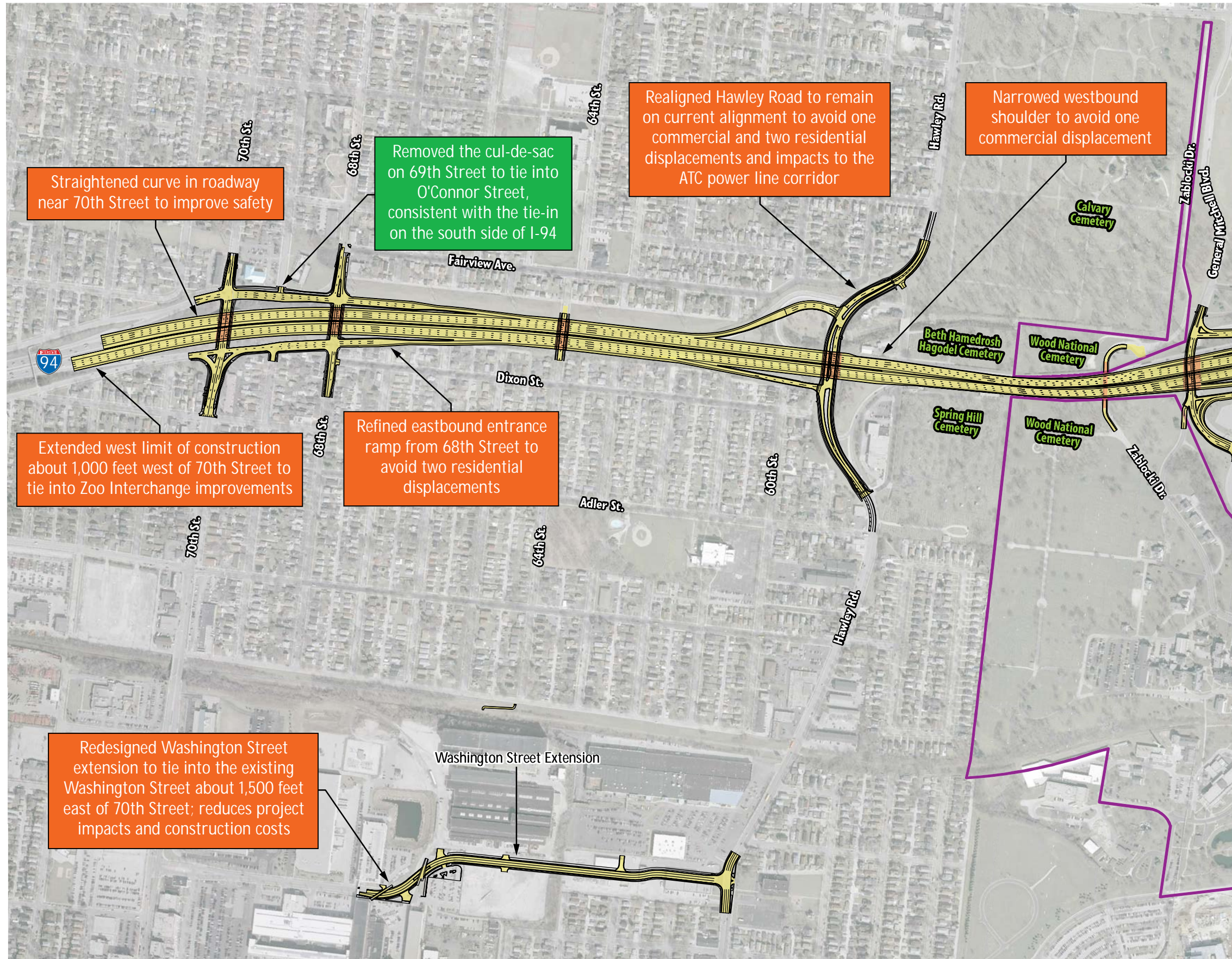


**LEGEND**

-  Freeway
-  Bridge
-  Northwestern Branch National Home for Disabled Volunteer Soldiers National Historic Landmark

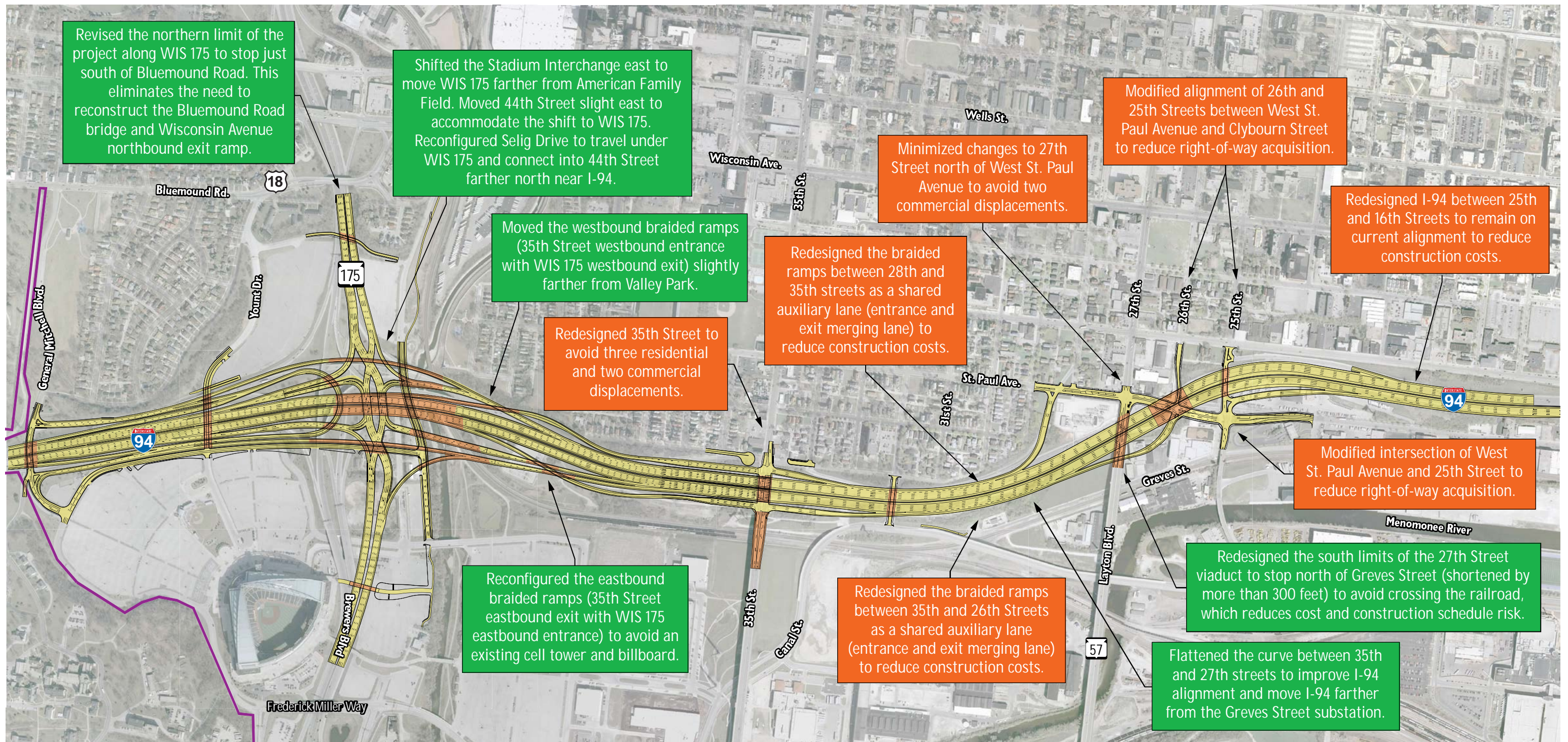
 North

Note: The orange text boxes describe design refinements since the 2016 Final EIS and shown in the Supplemental Draft EIS. The green text boxes describe the design refinements since the Supplemental Draft EIS availability.







## Preferred Alternative

Exhibit 2-1  
8-Lane Alternative, 70th Street to General Mitchell Boulevard



**LEGEND**

-  Freeway
-  Bridge
-  Northwestern Branch National Home for Disabled Volunteer Soldiers National Historic Landmark





 North


Note: The orange text boxes describe design refinements since the 2016 Final EIS and shown in the Supplemental Draft EIS. The green text boxes describe the design refinements since the Supplemental Draft EIS availability.

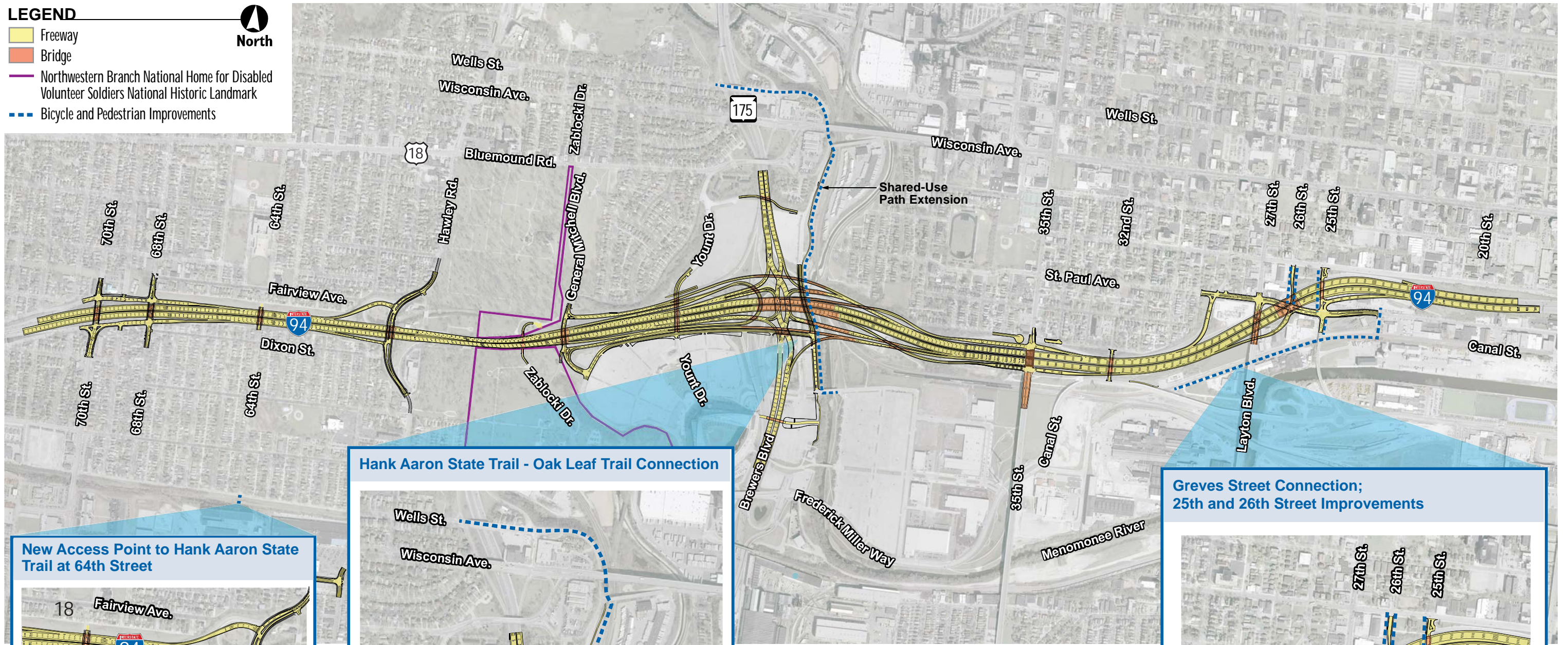
## Preferred Alternative



**LEGEND**

-  Freeway
-  Bridge
-  Northwestern Branch National Home for Disabled Volunteer Soldiers National Historic Landmark
-  Bicycle and Pedestrian Improvements

 North



**New Access Point to Hank Aaron State Trail at 64th Street**

**LEGEND**

-  Freeway
-  Bridge
-  Bicycle and Pedestrian Improvements

 North

**Hank Aaron State Trail - Oak Leaf Trail Connection**

**LEGEND**

-  Freeway
-  Bridge
-  Bicycle and Pedestrian Improvements

 North

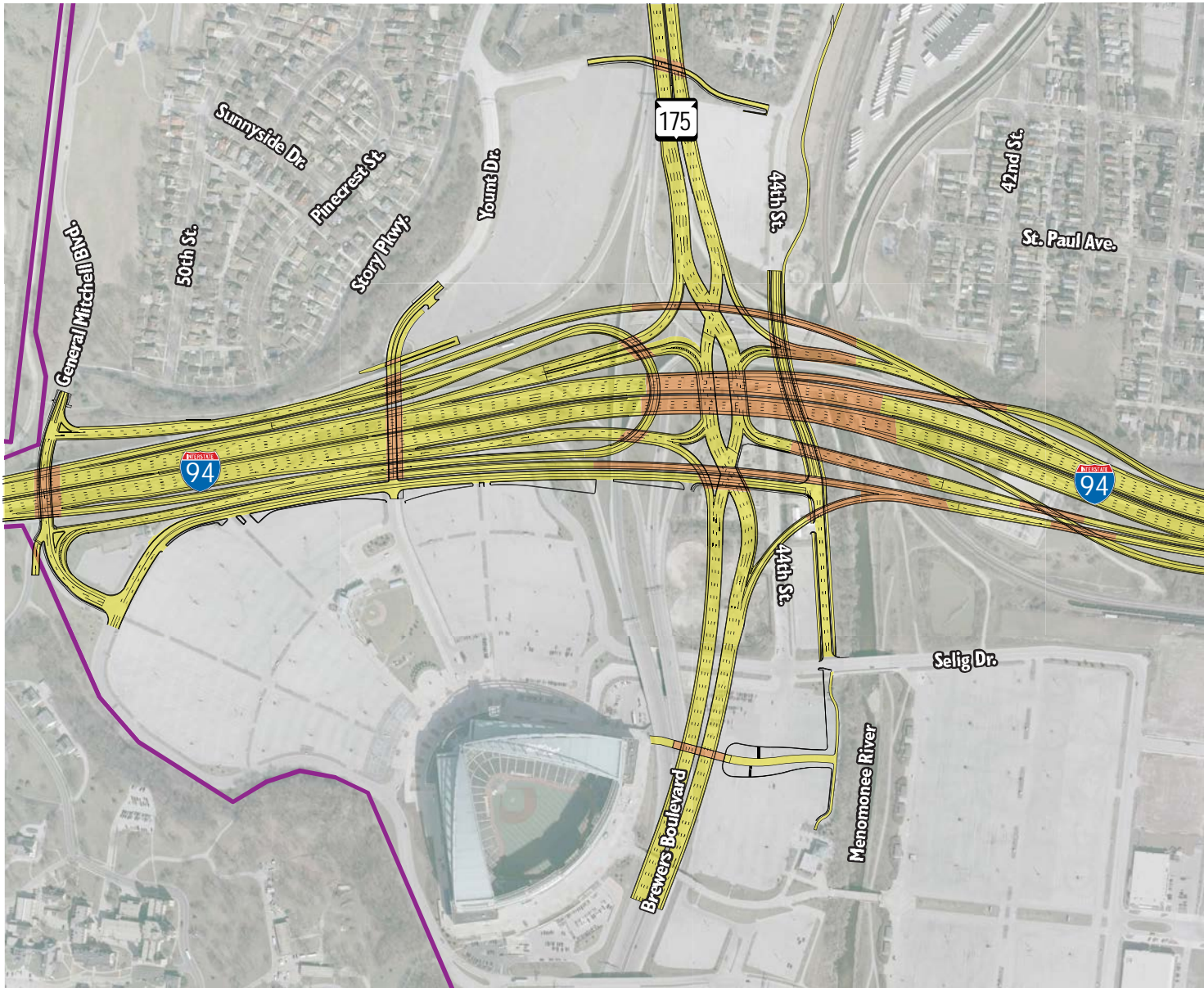
**Greves Street Connection; 25th and 26th Street Improvements**

**LEGEND**

-  Freeway
-  Bridge
-  Bicycle and Pedestrian Improvements

 North

**NOTE:**  
The proposed bicycle and pedestrian improvements apply to all alternatives considered.



LEGEND

- Freeway
- Bridge
- Northwestern Branch National Home for Disabled Volunteer Soldiers National Historic Landmark



North

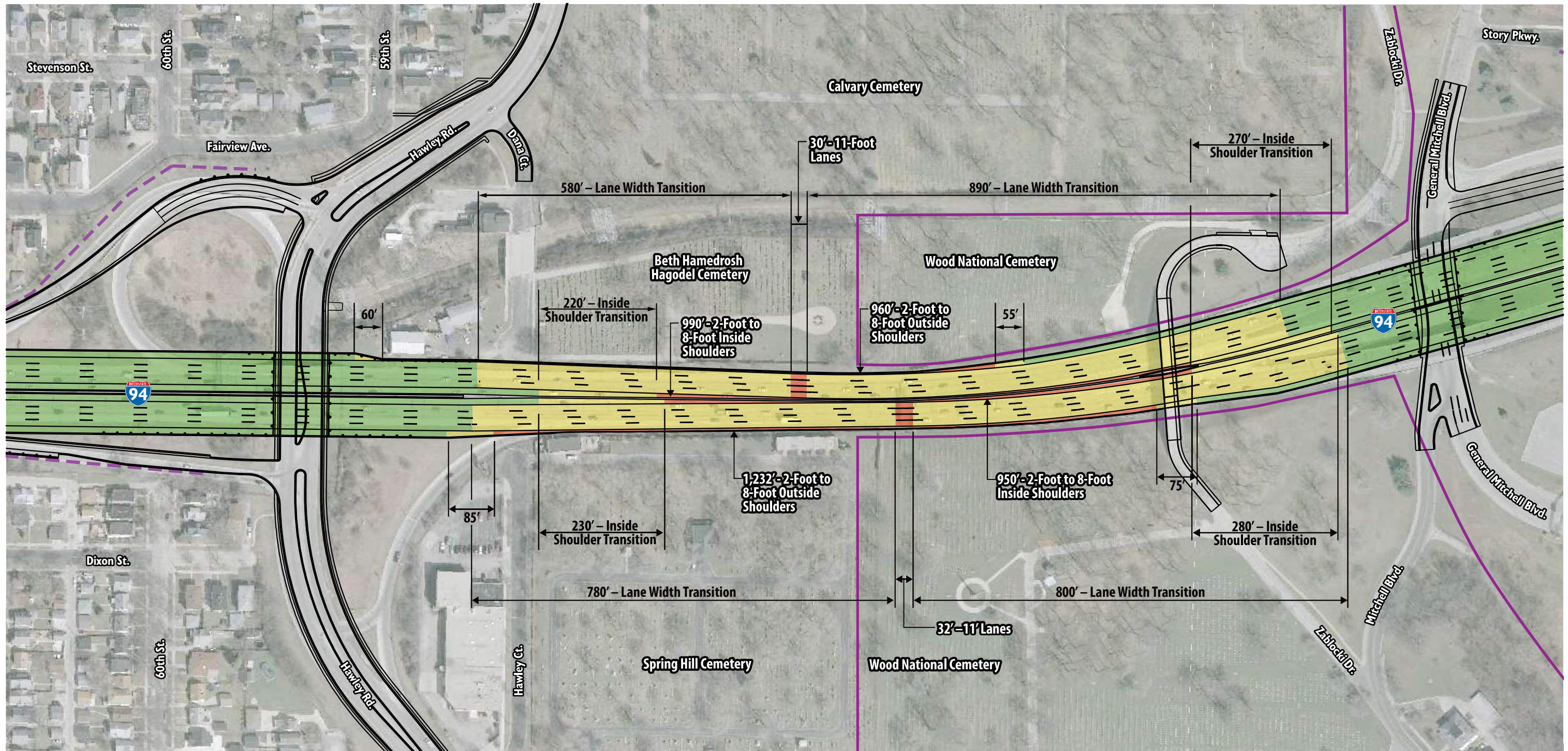
**NOTE:**  
 This exhibit shows the 8-lane alternative. The Stadium Interchange design will be similar for the 6-lane alternatives.

## Preferred Alternative



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

Exhibit 2-5  
 Stadium Interchange with Diverging Diamond Interchange

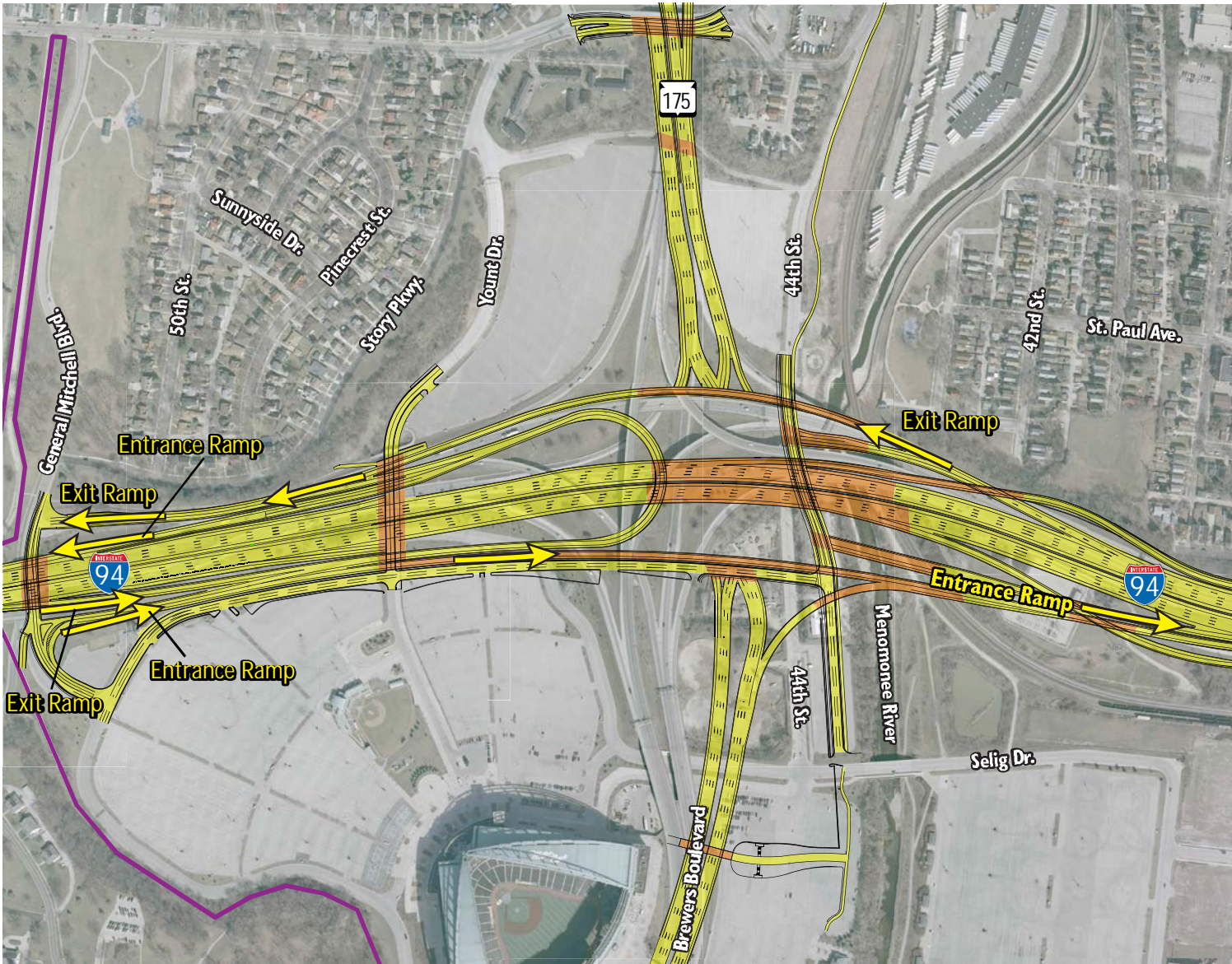


**LEGEND**

- Lane and Shoulder Widths Meet Standards**  
12' Lanes and 12' Shoulders
- Lane and Shoulder Widths Transition**  
Lane Widths Transition between 12' and 11'  
Shoulder Widths Transition between 12' and 8'
- Minimum Land and Less than 8' Shoulder**
- (No-Refuge) Widths**  
11' Lanes Widths 2' - 8' Shoulder Width
- Northwestern Branch National Home for Disabled Volunteer Soldiers National Historic Landmarks



**Preferred Alternative**



LEGEND

- Freeway
- Bridge
- Northwestern Branch National Home for Disabled Volunteer Soldiers National Historic Landmark



NOTE:  
WIS 175 and service interchange ramps have been removed from exhibit for clarity.

## Preferred Alternative

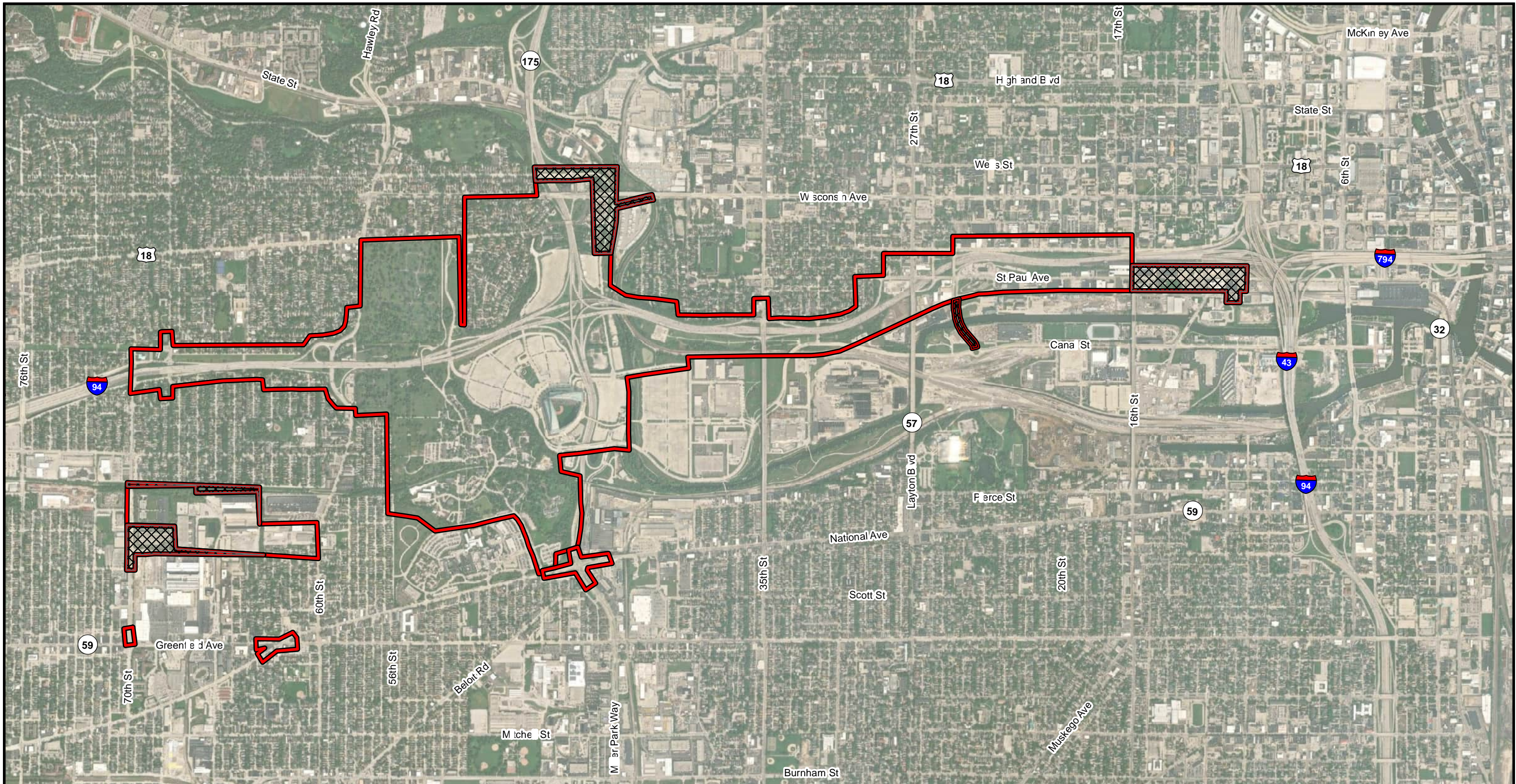


U.S. Department of Transportation  
Federal Highway  
Administration

Exhibit 2-9  
General Mitchell Boulevard Access with Diverging Diamond Interchange

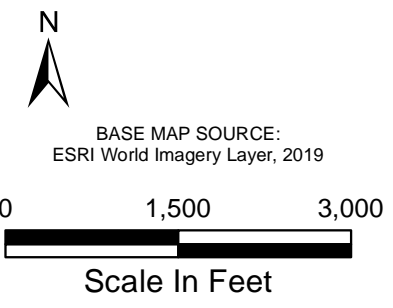
Attachment 2  
Area of Potential Effects Map

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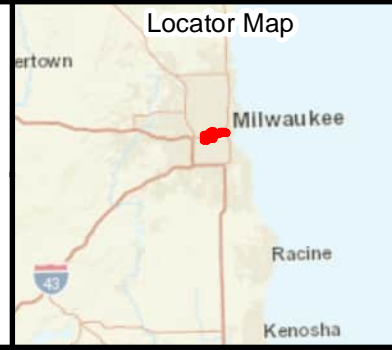



**LEGEND:**

- Area of Potential Effects (921.52-acres)
- Revised Area of Potential Effects (an additional 63.63-acres for a total of 985.15-acres)



BASE MAP SOURCE:  
ESRI World Imagery Layer, 2019



	<i>I-94 EW Corridor Milwaukee County, WI</i>
<b>ATTACHMENT 2 AREA OF POTENTIAL EFFECTS</b>	
PN: D3393901	DATE: 11/1/2021
CREATED BY: AG	<b>Jacobs</b>
REVIEWED BY: JW	