

DNR/DOT PROJECT REVIEW

State of Wisconsin – Department of Natural Resources (DNR) and Department of Transportation (WisDOT)
DTNR0002 6/2018

DNR Internet: http://dnr.wi.gov/	WisDOT Internet: http://wisconsindot.gov/
JIM DOPERASKI NORTHEAST REGIONAL HEADQUARTERS 2984 SHAWANO AVENUE GREEN BAY, WI 54313	Wisconsin Department of Transportation Division of Transportation Systems Development 510 Hanson Lake Road Rhineland, WI 54501

Inform WisDOT Regional Environmental Coordinator, if more than 45 days is needed.

Design Project ID 9650-17-31/00	Project Highway STH 47	Review Submittal Date (m/d/yy) 10/29/19
Construction Project ID 9650-17-61/70	Estimated Project Cost (range) \$6M to \$7M	Construction Year (yyyy) 2020-2021
Project Name Shawano - Neopit	Project Limits 9650-17-61: WOLF RIVER BRIDGE B-73-0004 9650-17-70: DUQUAINE ROAD TO N JCT COUNTY VV	
County Menominee	Project on Tribal Land ☒ Yes ☐ No	
Contact Name Ryan Barz	Contact (Area Code) Phone Number (715) 342-3012	
Section/Township/Range 9650-17-61: 22/T28N/R15E 9650-17-70: Section 22, 23, 25, 26, 36 / T28N / R15E	Estimated Area of Ground Disturbance (acres) 26	

Type of Review Requested ☐ Initial Review ☒ Final Concurrence ☐ Scope Change ☐ Other:	Document Type ☐ Environmental Assessment (EA) ☒ Environmental Report (ER): 9650-17-70 ☐ Programmatic Categorical Exclusion (PCE) ☒ Categorical Exclusion Checklist (CEC): 9650-17-61
WisDOT Project Classification ☒ Bridge Rehabilitation, FDM 3-5-2 ☐ Bridge Replacement, FDM 3-5-2 ☐ Expansion, FDM 3-5-2 ☐ Pavement Replacement, FDM 3-5-2 ☐ Preventive Maintenance, FDM 3-1-5 ☐ SHRM (State Hwy Rehab/Maint), Maintenance Manual 13.08 ☐ Recondition, FDM 3-5-2 ☒ Reconstruction, FDM 3-5-2 ☒ Resurface, FDM 3-5-2 ☐ Safety (HSIP), PMM 4-1-10 ☐ Other:	Work Involved ☒ Beam Guard Replacement ☒ Borrow and/or Waste Site Required ☐ Channel Change/Stream Relocation ☒ Clearing and Grubbing ☒ Culvert Replacement or Extensions ☐ Dredging ☒ Grading ☒ Fill Outside Toe of Slope ☒ Intersection Improvement ☒ Right of Way Acquisition ☒ Shoulder Work ☒ Storm Sewer ☒ Other: <u>deck overlay, full depth deck repair, surface repair of deck and parapet, fence repair</u>

Storm Water Management (check all that apply)

- ☒ Trans 401 post construction requirements
- ☐ NPDES MS4/Urbanized Area
- ☒ TMDL Implementation Area: Upper Fox - Wolf
- ☒ Transportation Construction General Permit (TCGP)

For more information, please see the back of this form.

Project Description and Reason for Project:

(include project location map with limits and necessary attachments; attach additional sheets if needed)

PROJECT DETAILS

Project 9650-17-61 consists of rehabilitating the existing Wolf River bridge. The purpose of the proposed project is to maintain WIS 47 as a transportation corridor by eliminating the deck deficiencies of the existing bridge over the Wolf River. The rehabilitation would include a new concrete overlay, and a new polymer overlay on the WIS 47 over the Wolf River Bridge (B-73-4). Full depth deck repairs and surface repairs of the underdeck and parapet are anticipated. The chain link fence on the north side of the bridge will also be repaired as necessary. Additional right-of-way for construction of this project is anticipated.

Project 9650-17-70 consists of three single and complete projects. The purpose of the proposed action is to allow the facility to serve as a safe regional transportation link in the transportation system with an adequate level of service for motor vehicles while accommodating the needs of other travel modes, such as bicycles and pedestrians. The purpose is also to provide a pavement structure that meets the roadway's structural needs while providing the most economical life cycle cost. The proposed improvements include:

- Section 1 – Duquaine Road to Blacksmith Road, 1.6 miles: Improve as a full urban section, which includes new pavement widening, pavement mill and relay, curb and gutter, a grass terrace, sidewalk, street lighting, and storm sewer on both sides of the roadway. Construct defined driveway entrances to two businesses south of the south junction of County VV intersection. Remove and replace box culvert C-73- 002 on the south side of the south junction of County VV intersection.
- Section 2 – Blacksmith Road to Courthouse Lane, 0.6 miles: Improve as a half urban section, which includes new pavement widening, pavement mill and relay, curb and gutter, a grass terrace, sidewalk, street lighting, and storm sewer on the east side of the roadway.
- Section 3 – Courthouse Lane to the north junction County VV intersection, 0.4 miles:
 - Mill and resurface with new pavement
 - Construct or replace curb and gutter in spot locations, where needed
 - Replace deficient guardrail near Wolf River bridge
 - Regrade hazardous roadway side slopes and ditches
 - Extending sidewalk on east side of the roadway (to be funded by MITW)

Additional right-of-way for construction of this project is anticipated.

WETLANDS

No wetland impacts are anticipated on project 9650-17-61.

Wetland impacts could not be avoided on project 9650-17-70. Wetland impacts are a result of the Menominee Indian Tribe of Wisconsin (MITW) requesting an urban typical cross section through these wetland areas. This typical cross section includes bike lane, curb and gutter, terrace and sidewalk. In addition, WisDOT evaluated the integrity of the existing box culvert located at WA-2 which required replacement and lengthening to facilitate the new urban cross section. Efforts have been made to minimize wetland impacts.

The total permanent wetland impacts for this project were determined to be 0.156 acres. This project will cause losses of wet meadows (M), shrub scrub (SS), riparian emergent wetland (RPE), and shallow marsh (SM). Per the WisDOT – NC Region Environmental Coordinator, all permanent wetland impacts will be mitigated at Bina wetland bank site. In order to construct the box culvert, the stream requires temporary diversion. These pipes will temporarily impact wetlands while the diversion is in place but these areas will be restored when the system is removed and the new culvert is put into service. The total temporary wetland impact loss will be 0.003 acres. See attached Wetlands Impact Map and Tracking Form for more details.

ATTACHMENTS

- 1 – Project Locations
- 2 – Wisconsin DNR Initial Review Letters
- 3 – Environmental Commitments
- 4 – Wetland Documents
- 5 – Plan Sheets
- 6 – Special Provisions

Attachment 1
Project Location

LANGLADE CO.

LANGLADE CO.

OCONTO CO.

R-13-E

R-14-E

R-15-E

R-16-E

Town of Polar

Town of Evergreen

Town of Wolf River

Town of Doty

Town of Armstrong

LANGLADE CO.

T-30-N

SHAWANO CO.

T-29-N

T-28-N

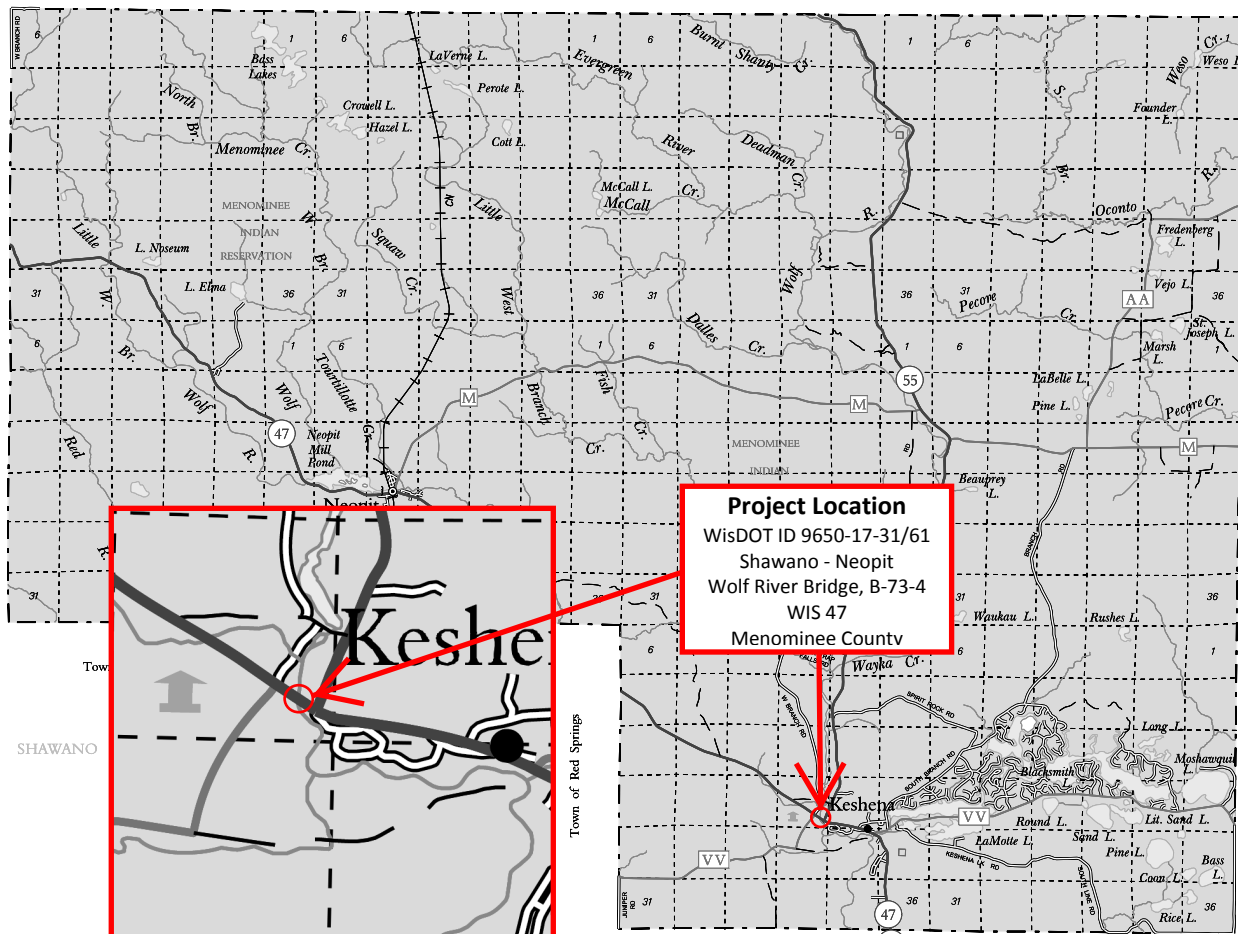
OCONTO CO.

T-30-N

T-29-N

T-28-N

OCONTO CO.



Project Location

WisDOT ID 9650-17-31/61
Shawano - Neopit
Wolf River Bridge, B-73-4
WIS 47
Menominee County

R-13-E

R-14-E

R-15-E

R-16-E

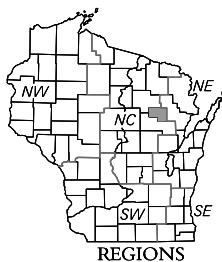
Town of Richmond

Town of Wescott

LEGEND

Freeway	Dam	
Multilane Divided	Hospital	
U.S. or State Hwy	Airport	
County Trunk Hwy	County Seat	
Town Road	Unincorporated Village	
Firelane	Fish Hatchery	
Railroad	Game Farm	
State Trail	Public Hunt or Fish Grds.	
Interchange	Public Camp & Picnic Grds.	
Highway Separation	Ranger Station	
Interstate Highway No.	State Park	
U.S. Highway No.	County Park	With Facilities
State Highway No.		Without Facilities
County Highway Letter	Rest Area	Modern Facilities
State Boundary	Wayside	Rustic Facilities
County Boundary		
Civil Town Boundary		
Section Line		

For boundaries of public hunting and fishing grounds please contact the Department of Natural Resources



REGIONS

MILES OF HIGHWAY

as of Dec. 31, 2016

STATE	41
COUNTY	37
LOCAL ROADS	79
OTHER ROADS	296
TOTAL FOR COUNTY	453

Land Area (2010 Census) 358 sq mi
Population (2010 Census) 4232
County Seat Keshena

SECTION NUMBERING OF A TOWNSHIP

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

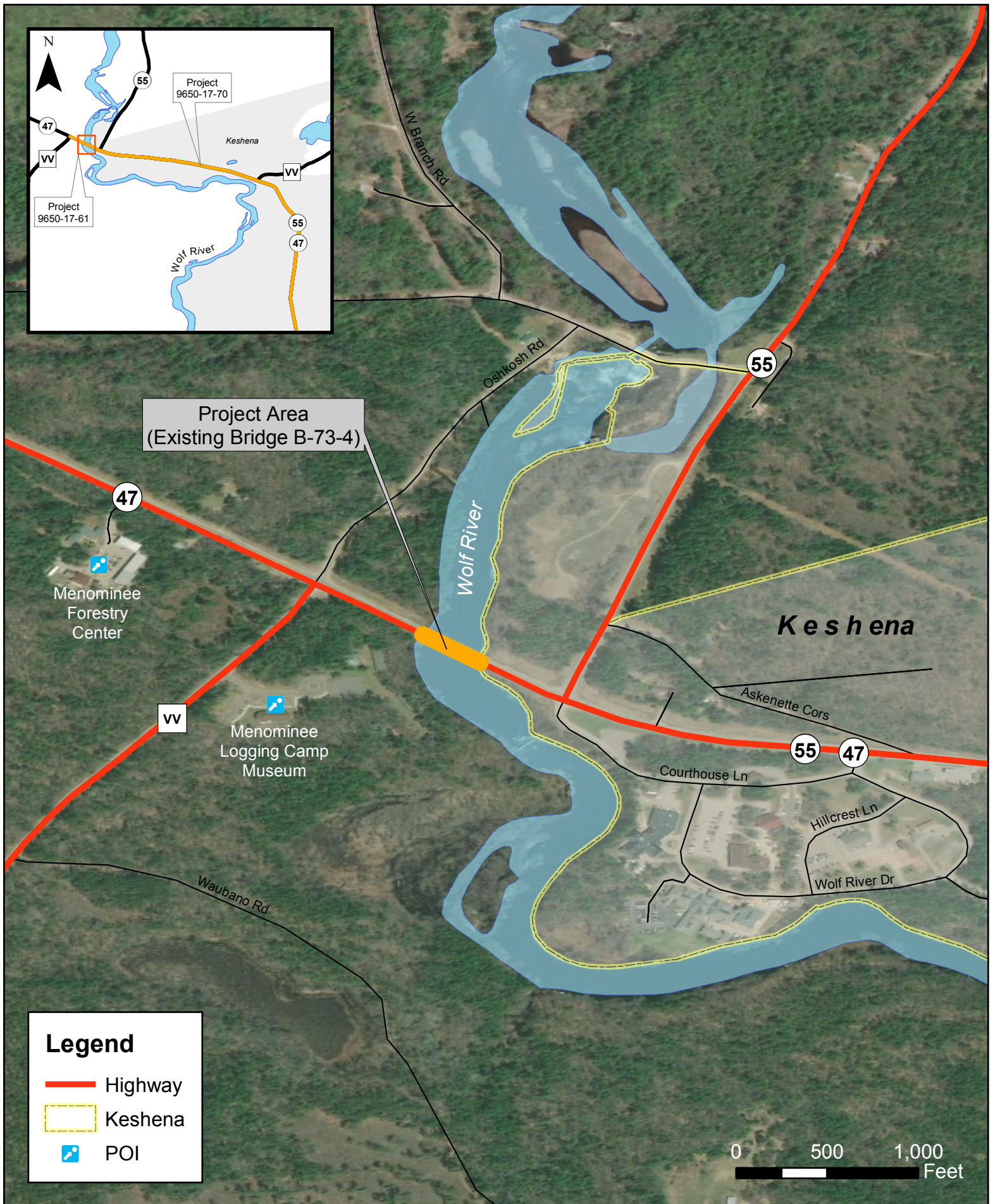
MENOMINEE CO.

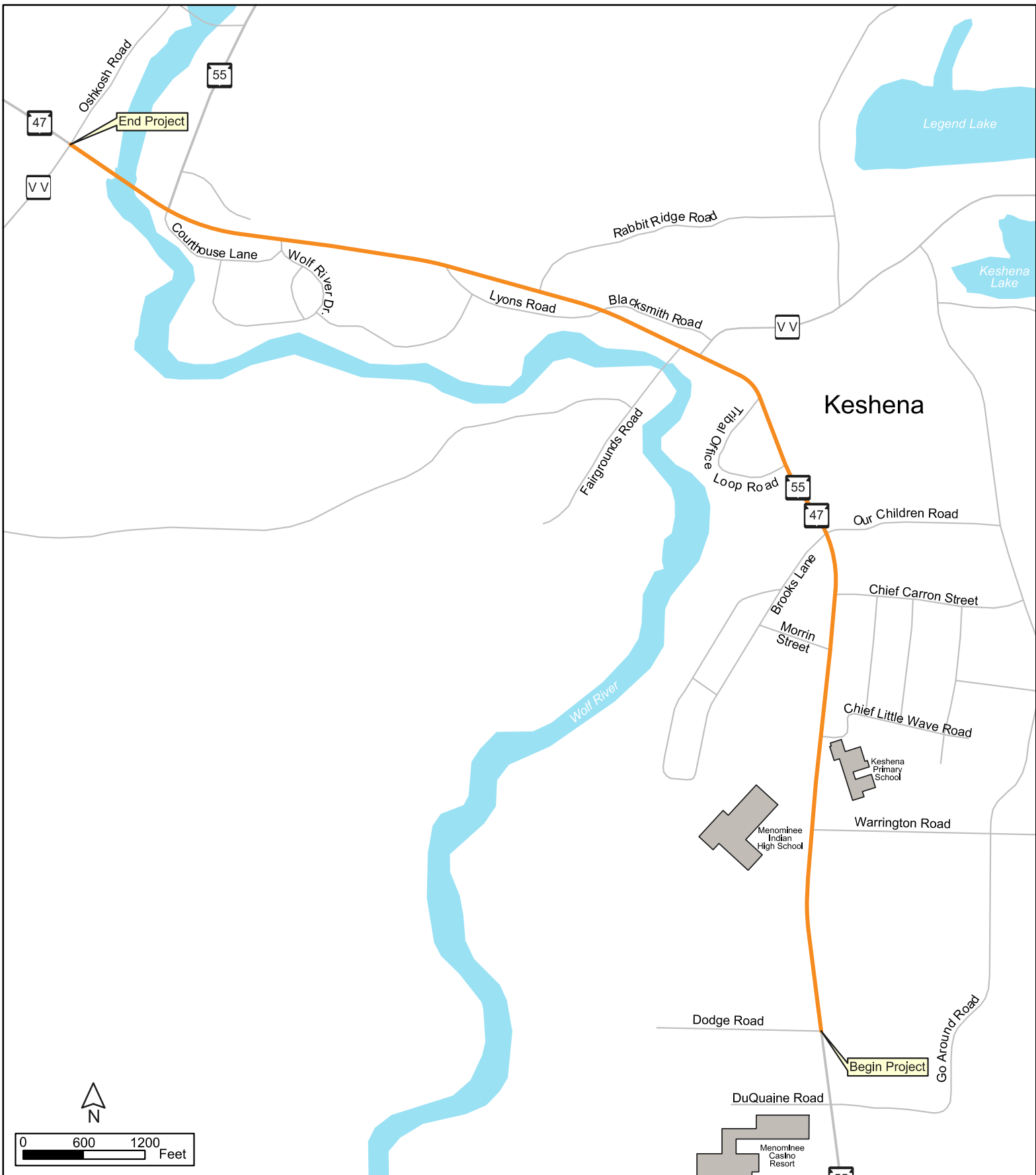
DEPARTMENT OF TRANSPORTATION
STATE OFFICE BUILDING
Madison, Wisconsin

SCALE 0 1 2 MILES

Corrected for
JAN. 2018

Base compiled from U.S.G.S. Quadrangles
1:100,000 Series



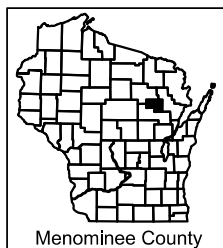


Project Location Map

WIS 47

DuQuaine Road to N Jct County VV

WisDOT I.D. 9650-17-70



Menominee County

Attachment 2
WDNR Initial Review Letters



August 30, 2018

DOT: Menominee

Ryan Barz
WI Department of Transportation
510 Hanson Lake Road
Rhineland, WI 54501

Subject: DNR Initial Project Review
Project I.D. 9650-17-31
STH 47 Bridge (B-73-4) over Wolf River
STH 55 to CTH VV
Menominee County
Section 22, T.28N. – R.15E.

Dear Mr. Barz:

The Wisconsin Department of Natural Resources (DNR) has received the information you provided for the above-referenced project. According to your proposal, the purpose of this project is a concrete overlay of the STH 47 bridge over Wolf River. Proposed improvements include full depth deck repairs and concrete repairs of the underdeck and parapet.

Preliminary information has been reviewed by DNR staff for the project under the DNR/DOT (Wisconsin Department of Transportation) Cooperative Agreement. Initial comments on the project as proposed are included below, and we assume that additional information will be provided that addresses all resource concerns identified. To ensure compliance with resource protections, we are recommending that Special Provisions be developed for specific resource protections described below. DNR expects that the full range of DOT roadway standards will be applied throughout the design and construction process.

A. Project-Specific Resource Concerns

Wetlands

Based on my August 15, 2018 and August 29, 2018 site visits there is potential for wetland impacts to occur as a result of this project. Wetland vegetation is present along the river banks in all four quadrants of the bridge off the toe of slope and edge of rip rap. Any impacts along the banks of Wolf River will have wetland impacts. Wetland impacts must be avoided and/or minimized to the greatest extent practicable. Unavoidable wetland losses must be compensated for in accordance with the DNR/DOT Cooperative Agreement and the DOT Wetland Mitigation Banking Technical Guideline. DNR requests information regarding the amount and type of unavoidable wetland impacts.

Fisheries/Stream Work

Wolf River has a warm water sport fishery and has a Lake Sturgeon fishery. This stretch of river is used to transfer lake sturgeon and there may be fish spawning in the area. There shall be no in-stream

disturbance between November 1 and November 30 due to the lake sturgeon transfers in this section of river and between March 1 and June 15 to minimize impacts to spawning fish. These dates are inclusive of the timeout period. This construction BMP minimizes impacts to fish and other aquatic organisms during sensitive time periods such as spawning, and migration.

- ❖ *Disclaimer: Requests to modify the in-stream timeout dates may be made, if seasonal conditions and/or extra best management practices (BMPs) would allow it. These requests must be submitted to the DNR for review, and will be handled on a case-by-case basis.*

If erosion control matting is to be used along stream banks, DNR recommends biodegradable non-netted matting (e.g. Class I Type A Urban, Class I Type B Urban, or Class II Type C). Long-term netted mats may cause animal entrapment. Avoid the use of fine mesh matting that is tied or bonded at the mesh intersection such that the openings in the mesh are fixed in size.

Endangered Resources

Based upon a review of the Natural Heritage Inventory (NHI) dated August 14, 2018, the project area is near a known occurrence for the threatened and/or endangered species listed below, and there is potential for these species to occur if there is suitable habitat within your project limits. To ensure there are no adverse impacts, habitat suitability should be determined for these listed species. If suitable habitat is found within the project limits, and impacts to that habitat cannot be avoided, then additional surveys may be necessary:

- Slippershell Mussel (*Alasmidonta viridis*), State Threatened. If impacts or access to Wolf River are anticipated a survey of the riverbed will be needed to determine presence. If the mussel species is found a relocation of the mussels in the vicinity of the project may be needed.
- Elktoe Mussel (*Alasmidonta marginata*), State Special Concern. If impacts or access to Wolf River are anticipated a survey of the riverbed will be needed to determine presence. If the mussel species is found a relocation of the mussels in the vicinity of the project may be needed.
- Bald Eagle (*Haliaeetus leucocephalus*), Federally Protected under Bald and Golden Eagle Protection Act. Please see the following link for additional information:
<https://www.fws.gov/midwest/midwestbird/eaglepermits/bagepa.html>
- Wood Turtle (*Glyptemys insculpta*), State Threatened. If impacts to the riparian corridor off the existing roadway shoulder are anticipated then if project construction will start in the spring, the perimeter of the area to be disturbed should be protected with [properly trenched-in silt fence prior](#) to May 1 (March 15 for projects within the riparian corridors) to discourage turtles from entering the work area. If the construction area cannot be silt-fenced by May 1 (or March 15 for projects within riparian corridors), the silt fence must be installed prior to construction activities and the area behind the silt fence must be surveyed and any turtles confined within the project area removed prior to any site disturbance, and throughout the construction period.

During my site visit on August 29, 2018 I did find mussel shells along the western shore under the bridge. I am currently consulting with DNR Conservation Biologist, Stacy Rowe, to identify the shells.

- ❖ *NHI Disclaimer: This review letter may contain NHI data, including specific locations of endangered resources, which are considered sensitive and are not subject to Wisconsin's Open Records Law. As a result, information contained in this review letter may be shared only with individuals or agencies that require this information in order to carry out specific roles in the permitting, planning and implementation of the proposed project. Specific locations of endangered resources may not be released or reproduced in any publicly disseminated documents.*

Migratory Birds

Based on site review, there is evidence of past migratory bird nesting on the existing structure. Under the U.S. Migratory Bird Treaty Act, destruction of swallows and other migratory birds or their nests is unlawful unless a permit has been obtained from the U.S. Fish & Wildlife Service (USFWS). Therefore, the project should either occur only between May 1 and August 30 (non-nesting season) or utilize measures to prevent nesting (*e.g., remove unoccupied nests during the non-nesting season and install barrier netting prior to May 1*). If netting is used, ensure it is properly maintained, then removed as soon as the nesting period is over. If neither of these options is practicable then the USFWS must be contacted to apply for a depredation permit.

Invasive Species and Viral Hemorrhagic Septicemia (VHS)

All project equipment shall be decontaminated for removal of invasive species prior to and after each use on the project site by utilizing other best management practices to avoid the spread of invasive species as outlined in NR 40, Wis. Adm. Code. For more information, refer to <http://dnr.wi.gov/topic/Invasives/bmp.html>.

Floodplains

A determination must be made as to whether the project lies within a mapped/zoned floodplain. Any proposed temporary or permanent changes to the road or waterway geometry in mapped floodplain areas requires that DOT coordinate with the Menominee Zoning Administrator to ensure compliance with the local zoning ordinance and NR116. Examples of floodplain development activity includes, but not limited to, the following: changes to waterway crossings; culvert extensions; changes to road surface elevations and/or side-slopes; temporary causeways; temporary structures; general fill.

Storm Water Management & Erosion Control

- For projects disturbing an acre or more of land, erosion control and storm water measures must adhere to the Wisconsin Pollutant Discharge Elimination System Transportation Construction General Permit (TCGP) for Storm Water Discharges. Coverage under TCGP is required prior to construction. DOT should apply for permit coverage just before the project goes to final PS&E. Permit coverage will be issued by the DNR after design is complete and documentation shows that the project will meet construction and post-construction performance standards. For more information regarding the TCGP you can go to the following link, and click on the “Transportation” tab: <https://dnr.wi.gov/topic/Sectors/Transportation.html>.
- All projects require an Erosion Control Plan (ECP) that describes best management practices that will be implemented before, during and after construction to minimize pollution from storm water discharges. Additionally, the plan should address how post-construction storm water performance standards will be met for the specific site. The project design and Erosion Control Implementation Plan (ECIP) must comply with the TCGP in order to receive “permit-coverage” from the DNR.
- Once the project contract has been awarded, the contractor will be required to outline their construction methods in the ECIP. An adequate ECIP for the project must be developed by the contractor and submitted to this office for review at least 14 days prior to the preconstruction conference. For projects regulated under the TCGP, submit the ECIP as an amendment to the ECP.

Selected Site & Commercial Non-Metallic Mines

- The DOT Select Site process must be adhered to for clean fill or any other material that leaves the work site. The DNR liaison will review all proposed select sites and a site visit may be

required. Filling of wetlands, waterways or floodplain is not allowed under the select site process, unless the site owner obtains required permits. No new impermeable surfaces can be left at a select site (including gravel roads or pads), unless the site owner obtains required permits. Contaminated materials leaving the site need to adhere to the Hazardous Material Management Plan.

- Use of Commercial Non-Metallic Mines must accompany documentation that such mines have received all applicable local, state and federal permits before being used on the project, including local non-metallic mining reclamation permits and applicable WPDES permits as issued by the DNR.

Structure Removal/Bridge Demolition

Due to the characteristics of this section of the Wolf River, **STSP 203-020**, *Removing Old Structure Over Waterway With Minimal Debris*, will be adequate for this project. Please coordinate with DNR early in the design phase of the project if the bridge must be dropped into the waterway before removal.

Temporary Structure

Based on the information submitted it is unknown if a work in Wolf River is necessary. If it appears that a causeway may be required to build this bridge. Please provide DNR with details describing the dimensions of the causeway, and what materials would be used to construct it. In addition, the DOT must meet the standards of chapter NR 116, Wis. Adm. Code, Floodplain Management, for the causeway. The causeway should be clearly marked and lit for the navigational safety of any recreationist who may use the river at night, and a waterway marker permit maybe required.

Any proposed causeway will need to maintain flow along the shoreline and be protected from erosion during installation, removal and use. The DNR recommends using culverts to maintain flow through the causeway, placing a heavy duty fabric between the heavy rip rap used to build the causeway and the smaller rock used for the driving surface, and minimizing using fine material on the surface of the causeway which embed into the causeway.

Asbestos

A Notification of Demolition and/or Renovation and Application for Permit Exemption, DNR form 4500-113 (chapters NR 406, 410, and 447 Wis. Adm. Code) may be required. Please refer to DOT FDM 21-35-45 and the DNR's notification requirements web page: <http://dnr.wi.gov/topic/Demo/Asbestos.html> for further guidance on asbestos inspections and notifications. Contact Mark Davis, Air Management Specialist 262-574-2118, with questions on the form. The notification must be submitted 10 working days in advance of demolition projects.

Public Waterway Navigation Issues

According to the Menominee Indian Tribe of Wisconsin this reach of the Wolf River is not used by recreational watercraft. It will not be necessary to place navigational aids during construction.

Other Issues

This project may require a permit from the U.S. Army Corps of Engineers (USACE). For further permit details, you may contact Ryan Huber of the USACE located in the Green Bay office, at (920) 448-2824. A permit from the Menominee Indian Tribe of WI may also be needed. For further permit details, you may contact Jeremy Pyatskowit of Menominee Indian Tribe of Wisconsin located in Keshena, at (715) 799-6150. All local, state, and federal permits and/or approvals must be obtained prior to commencing construction activities.

The above comments represent the DNR's initial concerns for the proposed project and do not constitute final concurrence. Final concurrence will be granted after further review of refined project plans, and additional consultation if necessary. If any of the concerns or information provided in this letter requires further clarification, please contact this office at (920) 412-0165, or email at james.doperalski@wisconsin.gov.

Sincerely,

A handwritten signature in black ink that reads "James P. Doperalski Jr." with a stylized flourish at the end.

James P. Doperalski Jr.
Environmental Analysis & Review Specialist

c: Jon Motquin – DOT NCR
Jeremy Pyatskowit – Menominee Indian Tribe of Wisconsin Environmental Services
Jeremy Johnson – Menominee County Land Conservation/Forestry, Zoning Director
Jeremy Weso – Menominee County Highway Commissioner
Stacy Rowe – DNR Bureau of Natural Heritage Conservation
Shelly Allness – DNR Tribal Liaison
File



March 20, 2015

Bruce Gerland, P.E.
AECOM
200 Indiana Avenue
Stevens Point, WI 54481

Subject: **DNR Initial Project Review:**
Project I.D. 9650-17-00
STH 47 Reconstruction and Resurface
From Duquaine Road to North Junction of County Highway VV
Menominee County
Sections 22, 23, 25, 26, 36, T.28N. – R.15E.

Dear Mr. Gerland:

The Department has received the information you provided for the proposed above-referenced project on February 26, 2015. According to your proposal, the purpose of this project is to reconstruct and resurface STH 47. Proposed improvements include curb and gutter with terrace and sidewalks, storm sewer, new pavement, intersection modifications, and extending a box culvert.

Preliminary information has been reviewed by DNR staff for the project under the DOT/DNR Cooperative Agreement. Initial comments on the project as proposed are included below and assume that additional information will be provided that addresses all resource concerns identified.

A. Project-Specific Resource Concerns

Lands

If right of way is needed on any public lands there may be some encumbrances depending on funding sources thus further coordination will be needed.

Wetlands

There is potential for wetland impacts to occur as a result of this project and therefore wetland impacts must be avoided and/or minimized to the greatest extent possible. Unavoidable wetland impacts must be mitigated for in accordance with the DOT/DNR Cooperative Agreement and the Wisconsin Department of Transportation Wetland Mitigation Banking Technical Guideline. The Department requests information regarding the amount and type of unavoidable wetland impacts.

Endangered Resources (ER)

Based upon a review of the Natural Heritage Inventory (NHI) and other Department records on February 27, 2015 the following Endangered Resources have been known to occur in the project area or its vicinity and could be impacted by this project:

- *Glyptemys insculpta*, Wood turtle, is listed as State Threatened
- *Lycaides idas*, Northern Blue Butterfly, is listed as State Endangered
- Northern Dry Mesic Forest community

- Emergent Marsh community

Wood turtle habitat is often associated with riparian corridors. To minimize potential impacts to the wood turtle follow the guidance in the attached amphibian fencing protocols. Northern blue butterfly habitat is associated with pine barrens and its host plant is *Vaccinium caepitosum*, dwarf bilberry, which is also listed as State Endangered. To minimize potential impacts to the northern blue butterfly a survey for dwarf bilberry should be conducted to determine if the host plant is present in the project area.

Fisheries/Stream work

Chickney Creek classified as Class I trout water and Wolf River is classified as Class II trout water in this location. If work is being proposed in either waterway then in order to protect developing fish eggs and substrate for aquatic organisms, all instream work that could adversely impact water quality should be undertaken between May 1 and September 15.

The unnamed waterway near the CTH VV northbound and STH 47 intersection is classified as a wadable nursery waters smallmouth bass stream however there is likely not much suitable habitat for smallmouth bass thus an instream fishery date restriction for this stream is not anticipated.

Culverts/Aquatic organism passage

The culvert should be set in such a manner that it does not cause stream fragmentation and allows fish and other aquatic organisms to migrate upstream and downstream during low-flow conditions. This requires that the invert be set an adequate distance below the final streambed elevation to allow a natural and continuous streambed condition to occur. A gravel bed substrate may be installed in the culvert to obtain this condition. The desired end-result is that during high-flow conditions, the stream does not cause a large pool (scour hole) to develop at the downstream edge of the structure. Such a pool can act as an impassable barrier to aquatic organisms during low-flow conditions.

Migratory birds

If there is evidence of past migratory bird nesting on the existing structure then under the U.S. Migratory Bird Treaty Act, destruction of swallows and other migratory birds or their nests is unlawful unless a permit has been obtained from the U.S. Fish & Wildlife Service. Therefore, the project should either utilize measures to prevent nesting (e.g., remove unoccupied nests during the non-nesting season and install barrier netting prior to May 1), or should occur only between August 30 and May 1 (non-nesting season). (If netting is used, ensure it is properly maintained, then removed as soon as the nesting period is over.) If neither of these options is practicable then the U.S. Fish & Wildlife Service must be contacted to apply for a depredation permit.

Invasive Species

Adequate precautions should be taken to prevent transporting or introducing invasive species via construction equipment, as provided under NR 40, Wis. Administrative Code. This website provides further information and lists those species classified as Restricted or Prohibited under NR 40:

<http://dnr.wi.gov/topic/Invasives/classification.html>

All equipment must be properly cleaned and disinfected to address the spread of invasive species and viruses. Special provisions should require contractors to implement the following measures before and after mobilizing in-water equipment to prevent the spread of Viral Hemorrhagic Septicemia (VHS), Zebra Mussel, and other invasive species. Follow **STSP 107-055** Environmental Protection – Aquatic Exotic Species Control, which includes the protocol found here:

For up to date information on invasive species and infested waters go to

<http://dnr.wi.gov/lakes/invasives/AISByWaterbody.aspx>

Floodplains

A determination must be made as to whether the project lies within a mapped/zoned floodplain. In order to meet the standards of NR 116, Floodplain Management, a hydraulic and hydrologic analysis must be conducted for the 100-year flood event for any new structures. Plans for the structure must comply with the provisions of the local community's floodplain zoning ordinance. DNR requires submittal of the results of a 100-year flood analysis for the structure(s).

If the new structure(s) will create an increase of 0.01 feet or more in the 100-year backwater condition, DNR requires that all affected upstream landowners be notified, appropriate legal arrangements made, and the local floodplain ordinance must be amended. For areas lying outside mapped/zoned floodplain, DNR may request the results of DOT flow and backwater calculations. For project-specific information, please consult with the Menominee County Zoning Administrator.

Dredging

The width and depth of Chickney Creek, Wolf River, and unnamed watery near CTH VV northbound and STH 47 intersection must not be altered. However, a minor amount of dredging necessary to place the structure elements is permissible.

Other Issues/Unique Features

- **Oak Wilt:**
This project involves work that may involve cutting or wounding of oak trees. To prevent the spread of oak wilt disease, please avoid cutting or pruning of oaks from April through September. See the DNR webpage at: <http://dnr.wi.gov/topic/foresthealth/oakwilt.html>

B. Construction Site Considerations:

The following issues may be addressed in the Special Provisions and the contractor will be required to outline their construction methods in the Erosion Control Implementation Plan (ECIP).

Erosion control/Stormwater

Erosion control devices should be specified on the construction plans. All disturbed bank areas should be adequately protected and restored as soon as feasible.

An adequate erosion control implementation plan (ECIP) for the project must be developed by the contractor and submitted to this office for review at least 14 days prior to the preconstruction conference.

If erosion mat is used along stream banks, the department recommends that biodegradable and non-netted mat be used (e.g., Class I Type A Urban, Class I Type B Urban, or Class II Type C). Long-term netted mats may cause animals to become entrapped while moving in and out of the stream. Avoid the use of fine mesh matting that is tied or bonded at the mesh intersection such that the openings in the mesh are fixed in size.

Structure removal/Bridge demolition

Due to the characteristics of this section of the waterway crossings within the project limits, STSP 203-020, *Removing Old Structure Over Waterway With Minimal Debris*, will be adequate for this project. Please coordinate with DNR early in the design phase of the project if the bridge must be dropped into the waterway before removal.

Temporary Stream Channel or Culvert

If a temporary channel is needed for culvert construction, the channel should be lined with plastic or other non-erodible material and weighted down with clean stone. A temporary channel or culvert must be capable of carrying all stream flows during the construction period and must maintain a suitable depth and velocity to allow the passage of migrating fish and aquatic species. Fish that become stranded in dewatered areas or temporary channels should be captured and returned to the active channel immediately.

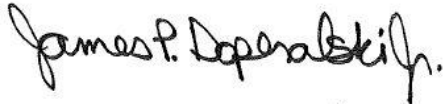
These requirements should be addressed in the special provisions and require the contractor to outline these construction methods in the ECIP.

Asbestos

A Notification of Demolition and/or Renovation and Application for Permit Exemption, DNR form 4500-113 (NR 406, 410, and 447 Wis. Adm. Code) may be required. Please refer to DOT FDM 21-35-45 and the DNR's notification requirements web page: <http://dnr.wi.gov/topic/Demo/Asbestos.html> for further guidance on asbestos inspections and notifications. Contact Mark Davis, Air Management Specialist 608-266-3658, with questions on the form. The DNR's online notification system is available at <http://dnr.wi.gov/topic/Demo/Asbestos.html>. The notification must be submitted 10 working days in advance of demolition projects.

The above comments represent the Department's initial concerns for the proposed project and do not constitute final concurrence. Final concurrence will be granted after review of plans and further consultation if necessary. If any of the concerns or information provided in this letter requires further clarification, please contact this office at (920) 662-5119.

Sincerely,



Environmental Analysis & Review Specialist

CC: Janet Smith - DOT
Daniel Erva - DOT
Jeremy Pyatskowit - Menominee Tribe Environmental Services Director
Shelly Allness - DNR
File

Attachment 3
Environmental Commitments

CATEGORICAL EXCLUSION CHECK LIST

FOR 23 CFR 771.117(c) ACTIONS
Wisconsin Department of Transportation
Revised July 2015

WisDOT Design and Construction IDs 9650-17-31/61	Federal Project IDs (if available)	Legal Description (Township, Range, Section) T28N/R15E/Section 22	County Menominee
Project Name Wolf River Bridge, B-73-4		Project Termini/ Location Shawano - Neopit	
Name of Route or Facility to be Improved WIS 47	Facility Classification Minor Arterial	Improvement Type Bridge Rehabilitation (SHRM)	
Estimated Project Cost in Year of Expenditure \$ (include RW Cost) \$540,000 (2018)		Funding Source(s) (check all that apply) ☒ State ☒ Federal ☐ Local	
23 CFR 771.117(c) Project Type Number and Text (23) Federally-funded projects: (i) That receive less than \$5,000,000 of Federal funds			
Section 4(f) ☒ None ☐ De Minimis ☐ Bikeway/ Walkway ☐ Minor Park/ Rec ☐ Minor Historic ☐ Historic Bridge ☐ Net Benefit ☐ Exception			
Right of Way Acquisition 0 Total Acres 0 Fee Simple Acres 0 Permanent Easement Acres 0 Temporary Easement Acres			
Number of Buildings Acquired ☒ None ☐ Vacant Buildings ☐ Occupied Buildings			
Name of Individual/ Firm Preparing this Form Mia Steuerwald/AECOM		CE Preparation Date 10/9/18	Environmental Process Start Date 5/10/2018

WisDOT Region Environmental Coordinator or Local Program Management Consultant

I certify that I meet the requirements for staff who review and recommend approval of Categorical Exclusion (CE) actions, specified in the FHWA – WisDOT CE Agreement. I further certify that I have reviewed this document, and agree with the determination that the proposed project and resultant impacts meet the definition of a CE as described in 23 CFR 771.117(a) & (b), and will not result in significant environmental impacts. I recommend this CE for approval.

(Signature)

Jon Motquin

(Print Name)

(Date)

10.10.18

WisDOT Region, Central Office, or Local Program Project Manager

I certify that I am familiar with this proposed project and its impacts and that the information contained in this document is accurate and can be relied upon for documentation decisions. I further certify that the mitigation measures and commitments proposed herein will be incorporated into the project plans and contract documents. I approve this CE.

(Signature)

Dan Erva

(Print Name)

(Date)

10/11/18

A determination that this project satisfies the criteria for an FHWA (c)-listed Categorical Exclusion (CE) does not relieve the applicant of the requirement to comply with other laws and regulations including, but not limited to, Section 404 of the Clean Water Act, Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act, and Section 4(f) of the US Department of Transportation Act. Coordination to comply with these other laws may require FHWA involvement. Furthermore, designation of this project as a (c)-listed CE does not relieve the requirement for WisDOT to coordinate with WDNR under the Cooperative Agreement. Any correspondence or documentation used to comply with Federal, State, or Local laws or regulations should be maintained in the project file and provided with this checklist upon request.

VII. Mitigation & Commitments – List any environmental mitigation measures or commitments that will be incorporated into the project. Any items listed below must be incorporated into the project plans and contract documents. *Attach a copy of this page to the design study report (DSR) and the plans, specifications, and estimate (PS&E) submittal package.*

Environmental Factor	Commitment (If none, include 'No special or supplemental commitments required.')
General Economics	Keep roadway open to traffic and provide access to schools, businesses and driveways in the project area during construction. The existing roadway is not wide enough to keep two lanes open to traffic during construction. A combination of single lane closures and detouring (see Exhibit 3 – Traffic Detour Map) will be used to complete the proposed improvements. Motorists can expect to encounter lane closures and flagging operations. The construction engineer will monitor and ensure fulfillment of this commitment which will be noted in the construction notes.
Business	Keep roadway open to traffic and provide access to schools, businesses and driveways in the project area during construction. The existing roadway is not wide enough to keep two lanes open to traffic during construction. A combination of single lane closures and detouring (see Exhibit 3 – Traffic Detour Map) will be used to complete the proposed improvements. Motorists can expect to encounter lane closures and flagging operations. The construction engineer will monitor and ensure fulfillment of this commitment.
Agriculture	No special or supplemental commitments required.
Community or Residential	Keep roadway open to traffic and provide access to schools, businesses and driveways in the project area during construction. The existing roadway is not wide enough to keep two lanes open to traffic during construction. A combination of single lane closures and detouring (see Exhibit 10 – Traffic Detour Map) will be used to complete the proposed improvements. Motorists can expect to encounter lane closures and flagging operations. Construction work shall be restricted during Menominee Veteran's Pow Wow (weekend before Memorial Day weekend) and the Menominee Nation Contest Pow Wow (first weekend in August). No construction work will be done from noon Friday prior to events until the following Monday morning. The construction engineer will monitor and ensure fulfillment of these commitments.
Indirect Effects	No special or supplemental commitments required.
Cumulative Effects	No special or supplemental commitments required.
Environmental Justice	No special or supplemental commitments required.
Historic Resources	No special or supplemental commitments required.
Archaeological/Burial Sites	No special or supplemental commitments required.

Tribal Coordination/Consultation	A draft copy of this Environmental Report will be sent to the MITW Environmental Services Department, attention Jeremy Pyatskowitz (Environmental Program Coordinator), for comments. Weekly business meetings during construction will be put in the construction contract. The media will also be provided weekly construction updates and the 511 website will be updated regularly. A construction permit is required by MITW for any contractor performing work on Trust land; they are also subject to the Tribe's 5% construction use tax, per MITW Community Development Department. The design engineer will ensure fulfillment of these commitments in the design and the construction engineer will monitor and ensure fulfillment of this commitment during construction.
Section 4(f) and 6(f) or Other Unique Areas	No special or supplemental commitments required.
Aesthetics	No special or supplemental commitments required.
Wetlands	A wetland determination was conducted by WisDOT and WDNR staffs on August 29, 2018. The delineation assumes no impacts since all proposed work will remain on the bridge deck. If the bridge must be removed, additional coordination must be completed with the WisDOT Regional Environmental Coordinator prior to work commencement. Wetland impacts must be avoided and/or minimized to the greatest degree possible.
Rivers, Streams and Floodplains	The Wolf River is a warm water fishery. Lake sturgeon are currently being re-introduced each fall. There shall be no in-stream disturbance in November or between March 1 and June 15 to avoid impacts to sensitive fish resources. Bridge removal activities will comply with STSP 203-020. If the project scope changes or requires removal of the entire bridge deck, the WisDOT REC, WDNR, and MITW Environmental Services must be consulted for re-coordination and additional review The project occurs within a mapped floodplain. Since the project will occur only on the bridge deck, there will be no effect to floodplain levels.
Lakes or other Open Water	No special or supplemental commitments required.
Groundwater, Wells and Springs	No special or supplemental commitments required.
Upland Wildlife and Habitat	No special or supplemental commitments required.
Coastal Zones	No special or supplemental commitments required.

Threatened and Endangered Species	Wood turtles have been documented in the area. Silt fencing with small animal exclusionary turn-arounds shall be installed prior to May 1 to discourage turtles from entering the work area. All work shall stop if turtles are encountered during construction operations. Turtles shall be hand removed from the construction area and placed in a safe area outside the construction zone in the direction which the turtle was travelling. A Natural Heritage Inventory revealed records for two state threatened or endangered mussel species. This project been approved with the assumption that all work will occur on the bridge deck and erosion control and stormwater best management practices will be installed to capture all debris. If the bridge deck must be removed, the project must be stopped until the WDNR, WisDOT REC, and MITW Environmental Services Department can conduct a habitat suitability analysis. If necessary, mussels shall be re-located to an appropriate area upstream prior to re-initiating construction activities. Bald eagles are known to nest and live along the Wolf River corridor. All cranes or other objects which could potentially be utilized for nesting platforms must be lowered when construction activities are not occurring. Migratory birds are using the structure to nest. Construction activities must occur after August 30 (non-nesting season) or the bridge must be appropriately netted and monitored to deter nesting activities.
Air Quality	No special or supplemental commitments required.
Construction Stage Sound Quality	Chapter 429, Noise, Subsection 5, Construction and machinery noise of the MITW Code, contains the following requirement for construction noise: “Except for permitted contractors, independent contractors, and employees of the Tribe and Menominee Tribal Enterprises acting in their official capacity, no person shall do construction work or operate any chain saw, lawn mower or any other loud machinery between the hours of 10:00 p.m. and 6:00 a.m.” Given this condition, WisDOT Standard Specification 107.8(6) and 108.7.1 will apply.
Traffic Noise	No special or supplemental commitments required.
Hazardous Substances or Contamination	On January 28, 2018 the existing Wolf River Bridge was inspected and no asbestos was found.
Storm Water	Chapter 512, Surface Water of the MITW Code, contains requirements for permitting under the Stormwater (Article VII, Subsections 30-31), as well as Tribal Water Permit (Article VIII, Subsections 32-33) that will apply to the project. All applications can be acquired at the MITW Environmental Services Department and additional guidance can be provided at that time. A stormwater and surface water permit will be developed and applied for through MITW around the time of 90% plan development. The design engineer will ensure fulfillment of this commitment.

Erosion Control	An Stormwater Pollution Prevention Plan (SWPPP) will be prepared by the contractor for approval by MITW Environmental Services and reviewed for consistency with TRANS 401 by the WisDOT Stormwater and Erosion Control Engineer (SWEC) prior to construction. See MITW Code 512, Article VII, Subsections 30-31. This will be monitored during construction by the construction engineer, who will monitor and ensure fulfillment of this commitment. A copy of the SWPPP (which includes ECIP) will be forwarded to WDNR staff for consultation purposes only.
Other Native American Hiring Provision	WisDOT promotes and encourages Native American employment on transportation projects on or near reservations. WisDOT's Native American Hiring Provision should be included in the standard specifications for this project. The design and construction engineers will monitor and ensure fulfillment of this commitment.



ENVIRONMENTAL EVALUATION OF FACILITIES DEVELOPMENT ACTIONS

Wisconsin Department of Transportation (WisDOT)

DT2094 1/2016

BASIC SHEET 1 - PROJECT SUMMARY

Project ID 9650-17-00	Project Termini Duquaine Rd to N Jct. CTH VV	Funding Sources (check all that apply) ☒ Federal ☒ State ☒ Local
Construction ID 9650-17-70		Estimated Project Cost and Funding Source (state and/or federal). Year of Expenditure (YOE) dollars include delivery cost. \$4,600,000 in 2019 dollars
Route Designation (if applicable) STH 47	Nearest Community Keshena	Real Estate Acquisition Portion of Estimated Cost (YOE) \$160,000 in 2019 dollars
National Highway System (NHS) Route ☐ Yes ☒ No		Utility Relocation Portion of Estimated Cost (YOE) \$0 in 2019 dollars
Project Title Shawano - Neopit, Duquaine Rd to N Jct. CTH VV, STH 47	Section / Township / Range 22, 23, 25, 26, 36 / 28N / 15E	
County Menominee (Menominee Indian Reservation)		
Bridge Number(s) (if applicable) B-73-004, C-73-002	For an ER, indicate the date funding was authorized to begin preliminary engineering. For an EA, indicate the date the Process Initiation Letter was accepted by FHWA. 1/15/2013 m/d/yyyy	

Functional Classification of Existing Route (FDM 3-5-2)	Urban	Rural
Freeway/Expressway	☐	☐
Principal Arterial	☐	☐
Minor Arterial	☒	☒
Major Collector	☐	☐
Minor Collector	☐	☐
Collector	☐	☐
Local	☐	☐
No Functional Class	☐	☐

WisDOT Project Classification (FDM 3-5-2)	
Resurfacing	☐
Pavement Replacement	☐
Reconditioning	☒
Expansion	☐
Bridge Rehabilitation	☐
Bridge Replacement	☐
"Majors" Project (there are both state and federal majors)	☐
SHRM	☐
Reconstruction	☐
Preventive Maintenance	☐
Safety	☒
Other - Describe:	☐

- ☐ FHWA Draft Type 2c Categorical Exclusion (CE)/WisDOT Draft Environmental Report (ER). No significant impacts indicated by initial assessment.
- ☐ FHWA/WisDOT Draft Environmental Assessment (EA). No significant impacts indicated by initial assessment.

(Print - Preparer Name, Title, Company/Organization)

(Date - m/d/yy)

(Signature - Director, Bureau of Technical Services)

(Date - m/d/yy)

(Signature, Title)

☐ Region ☐ Aeronautics ☐ Rails & Harbors

(Date - m/d/yy)

(Signature, Title)

☐ FHWA ☐ FAA ☐ FTA ☐ FRA

(Date - m/d/yy)

- ☒ FHWA Final Type 2 Categorical Exclusion (CE)/WisDOT Final Environmental Report (ER). It has been determined no significant impacts will occur and a Public Hearing is not required.

After reviewing and addressing substantive public comments, updating the Draft CE/ER or Draft EA and coordinating with other agencies, it is determined this action:

- ☐ Will NOT significantly affect the quality of the human environment. This document is a Final CE/Final ER.
- ☐ Will NOT significantly affect the quality of the human environment. This document is a Final EA/Finding of No Significant Impact.
- ☐ Has potential to significantly affect the quality of the human environment. Draft Environmental Impact Statement (EIS) required.

Ryan Barz, Project Manager, AECOM 2/23/17

(Print - Preparer Name, Title, Company/Organization)

(Date - m/d/yy)

Michael B. Wendt, WisDOT-Supervisor 2/23/17

(Signature, Title)

☒ Region ☐ Aeronautics ☐ Rails & Harbors

(Date - m/d/yy)

(Signature - Director, Bureau of Technical Services)

(Date - m/d/yy)

GREGORY JOHN NEWHOUSE
2017.03.15 11:05:15 -05'00'

3/15/2017

(Signature, Title)

☒ FHWA ☐ FAA ☐ FTA ☐ FRA

Field Operations Engineer

(Date - m/d/yy)

BASIC SHEET 8 – ENVIRONMENTAL COMMITMENTS

Attach a copy of this page to the design study report and the PS&E submittal package.

Factor Sheet	Commitment (If none, include "No special or supplemental commitments required.")
A-1 General Economics	Commitments made - Keep roadway open to traffic and provide access to schools, businesses and driveways in the project area during construction. The existing roadway is not wide enough to keep two lanes open to traffic during construction. A combination of single lane closures and detouring (see Exhibit 6 – Traffic Detour Map) will be used to complete the proposed improvements. Motorists can expect to encounter lane closures and flagging operations. The construction engineer will monitor and ensure fulfillment of this commitment which will be noted in the construction notes. See the General Economics factor sheet.
A-2 Business	Commitments made - Keep roadway open to traffic and provide access to schools, businesses and driveways in the project area during construction. The existing roadway is not wide enough to keep two lanes open to traffic during construction. A combination of single lane closures and detouring (see Exhibit 6 – Traffic Detour Map) will be used to complete the proposed improvements. Separate detours will be established for cars and light trucks on local roads and regional truck traffic on nearby state highways. Motorists can expect to encounter lane closures and flagging operations. The construction engineer will monitor and ensure fulfillment of this commitment which will be noted in the construction notes. See the Business Impacts factor sheet.
A-3 Agriculture	No special or supplemental commitments required.
B-1 Community or Residential	Commitments made - Keep roadway open to traffic and maintain access to properties in the project area for school buses, businesses, homes, and emergency vehicles. The existing roadway is not wide enough to keep two lanes open to traffic during construction. A combination of single lane closures and detouring (see Exhibit 6 – Traffic Detour Map) will be used to complete the proposed improvements. Motorists can expect to encounter lane closures and flagging operations. Construction work shall be restricted during Menominee Veteran's Pow Wow (weekend before Memorial Day weekend) and the Menominee Nation Contest Pow Wow (first weekend in August). No construction work will be done from noon Friday prior to events until the following Monday morning. The construction engineer will monitor and ensure fulfillment of these commitments which will be noted in the construction notes. See the Community and Residential factor sheet.
B-2 Indirect Effects	No special or supplemental commitments required.
B-3 Cumulative Effects	No special or supplemental commitments required.
B-4 Environmental Justice	No special or supplemental commitments required.
B-5 Historic Resources	No special or supplemental commitments required.
B-6 Archaeological/Burial Sites	Commitments made – An archaeologist will attend a pre-construction meeting and will be onsite to monitor the sensitive areas identified by the Menominee THPO (Dave Grignon) during construction and keep construction equipment and laydown areas outside these areas. WisDOT will collaborate with MITW to identify and resolve any related issues throughout the project. The construction engineer will monitor and ensure fulfillment of this commitment which will be noted in the construction notes. See the Section 106 Report in Exhibit 11 for more details.

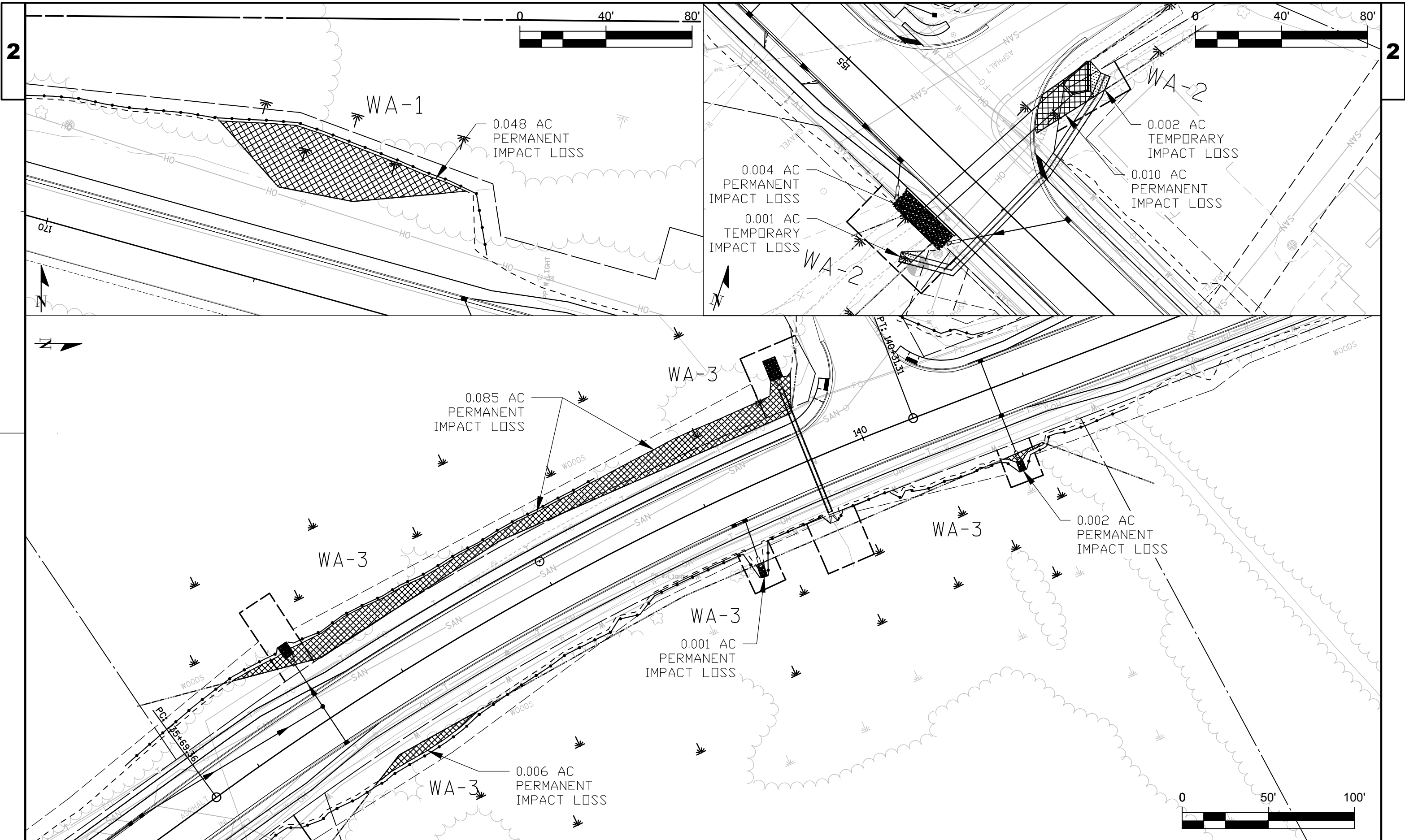
B-7 Tribal Coordination/Consultation	Commitments made - A draft copy of this Environmental Report will be sent to the MITW Environmental Services Department, attention Douglas Cox (Environmental Program Coordinator), for comments. Weekly business meetings during construction will be put in the construction contract. The media will also be provided weekly construction updates and the 511 website will be updated regularly. All appropriate MITW Chapter 512 stormwater, wetland, floodplain, erosion control, and other related permits will be obtained from the MITW Environmental Services Department. Tree removal will be kept to a minimum. A construction permit is required by MITW for any contractor performing work on Trust land; they are also subject to the Tribe's 5% construction use tax, per MITW Community Development Department. The design engineer will ensure fulfillment of these commitments in the design and the construction engineer will monitor and ensure fulfillment of this commitment during construction.
B-8 Section 4(f) and 6(f) or Other Unique Areas	Commitments made - See Factor Sheets B-1 and B-8. See Exhibit 9 for Property Impact Maps. Menominee Indian High School – Disturbed areas will be restored and landscaped as part of this project. Keshena Primary School – The existing fence will be relocated approximately 12 feet during construction. All areas disturbed during construction will be restored and landscaped as part of this project. Menominee Nation Early Childhood – The existing fence will be relocated approximately 12 feet during construction. All areas disturbed will be restored and landscaped as part of the project. Menominee Indians Veterans Memorial Park – No permanent adverse impacts will be done to this park. Temporary easements must not infringe on the tree driplines along WIS 47. The project manager will ensure fulfillment of these commitments in the design and the construction engineer will monitor and ensure fulfillment of this commitment during construction.
B-9 Aesthetics	Commitments made - Community Sensitive Solutions (CSS) funds are available for the project. The design engineer will work with the MITW and local community representatives to determine how these funds will be allocated. See the Aesthetics factor sheet.

C-1 Wetlands	Commitments made – A wetland delineation was done by AECOM in January 2015. See Exhibit 16. Wetland impacts were minimized by: • Eliminating the grass terrace between the sidewalk and curb and moving the sidewalk tight to the back of the curb when possible and when impacting wetlands. • Slopes between the sidewalk and wetland were increased from 4 feet horizontal for every 1 foot vertical to 3 feet horizontal for every 1 foot vertical. • Wetlands will be protected by silt fence in the project area during roadway construction. The construction engineer will monitor and ensure fulfillment of this commitment which will be noted in the construction notes. See the Wetlands Evaluation factor sheet. A 404 Permit will be applied for through USACE during the final design stage. WDNR staff will be provided all related documentation for comment and consultation purposes. The construction engineer will ensure fulfillment of this commitment.
C-2 Rivers, Streams and Floodplains	Commitments made - Mitigation measures will be performed to minimize any construction impacts such as erosion runoff into the Wolf River around the box culvert and bridge. The MITW has an existing Invasive Species Management Plan, which includes Best Management Practices (BMP) for all construction activities within the Reservation. The main focus of the BMP control issues will be movement and cleaning of equipment and material/fill transport. The contractor will need to identify where the fill is coming from. The construction engineer will monitor and ensure fulfillment of this commitment which will be noted in the construction notes. See Rivers, Streams and Floodplains Evaluation factor sheet. Chapter 512, Surface Water of the MITW Code, contains requirements for permitting under the Tribal Water Permit (Article VIII) that will apply to the project. All applications can be acquired at the MITW Environmental Services Department and additional guidance can be provided at that time. Two separate surface water permits (one for each culvert replacement) will be developed and applied for through MITW around the time of 90% plan development. The design engineer will ensure fulfillment of this commitment. If the proposed work will create an increase of 0.01 feet or more in the 100-year backwater condition, coordination with MITW Community Development will occur. The design engineer will ensure fulfillment of this commitment. WDNR staff will be provided all related documentation for comment and consultation purposes. The construction engineer will ensure fulfillment of this commitment. All disturbed areas will be regraded and re-vegetated with an appropriate MITW and WisDOT approved seed mix.
C-3 Lakes or other Open Water	No special or supplemental commitments required.
C-4 Groundwater, Wells and Springs	No special or supplemental commitments required.

C-5 Upland Wildlife and Habitat	Commitments made - To prevent the spread of oak wilt disease; cutting or pruning of oaks from April through September will be avoided. The WisDOT project engineer will verify trees are cleared prior to April 2019. WisDOT will remove the invasive buckthorn plants within the right of way and construction areas. Preferred management methods will be implemented according to Wisconsin Administrative Code NR40 and WDOT, WDNR, and MITW accepted practices. Specific provisions will be mutually developed by MITW and WisDOT staff within the contract and be included in the special provisions for the project. The construction engineer will monitor and ensure fulfillment of this commitment which will be noted in the special provisions.
C-6 Coastal Zones	No special or supplemental commitments required.
C-7 Threatened and Endangered Species	Commitments made - To minimize potential impacts to the wood turtle, exclusionary fencing protocols will be followed. Fencing must be inspected at least twice weekly on non-consecutive days and after any significant rain event. See Exhibit 10-DNR Correspondence. The construction engineer will monitor and ensure fulfillment of this commitment.
D-1 Air Quality	No special or supplemental commitments required.
D-2 Construction Stage Sound Quality	No special or supplemental commitments required. Chapter 429, Noise, Subsection 5, Construction and machinery noise of the MITW Code, contains the following requirement for construction noise: "Except for permitted contractors, independent contractors, and employees of the Tribe and Menominee Tribal Enterprises acting in their official capacity, no person shall do construction work or operate any chain saw, lawn mower or any other loud machinery between the hours of 10:00 p.m. and 6:00 a.m." Given this condition, WisDOT Standard Specification 107.8(6) and 108.7.1 will apply.
D-3 Traffic Noise	No special or supplemental commitments required.
D-4 Hazardous Substances or Contamination	Commitments made – A Phase 2 investigation was completed. Hazmat special provisions will be implemented and followed. The design engineer will ensure fulfillment of these commitments in the PS&E and the construction engineer will monitor and ensure fulfillment of this commitment which will be noted in the special provisions.
D-5 Storm Water	Commitments made - Chapter 512, Surface Water of the MITW Code, contains requirements for permitting under the Stormwater (Article VII, Subsections 30-31), as well as Tribal Water Permit (Article VIII, Subsections 32-33) that will apply to the project. All applications can be acquired at the MITW Environmental Services Department and additional guidance can be provided at that time. A stormwater and surface water permit will be developed and applied for through MITW around the time of 90% plan development. The design engineer will ensure fulfillment of this commitment.
D-6 Erosion Control	Commitments made - An Stormwater Pollution Prevention Plan (SWPPP) will be prepared by the contractor for approval by MITW Environmental Services and reviewed for consistency with TRANS 401 by the WisDOT Stormwater and Erosion Control Engineer (SWEC) prior to construction. See MITW Code 512, Article VII, Subsections 30-31. This will be monitored during construction by the construction engineer, who will monitor and ensure fulfillment of this commitment. A copy of the SWPPP (which includes ECIP) will be forwarded to WDNR staff for consultation purposes only. See the Erosion Control factor sheet.

E-1 Other Native American Hiring Provision	Commitments made - WisDOT promotes and encourages Native American employment on transportation projects on or near reservations. WisDOT's Native American Hiring Provision should be included in the standard specifications for this project. The design and construction engineers will monitor and ensure fulfillment of this commitment.
--	--

Attachment 4
Wetland Documents



**WETLAND IMPACT TRACKING FORM******This form must be filled out for all projects.******Return This Completed Form to:**

Jon Motquin
Environmental Coordinator
WisDOT-NC Region
1681 2nd Ave. South
Wisconsin Rapids, WI, 54495
Phone: (715) 421-8089
jon.motquin@dot.wi.gov

**Please Complete All Information
Highlighted In Yellow**

**WisDOT Regional
Environmental Coordinator
(REC) Will Complete Sections
Highlighted In Green**

Project Design I.D. #: 9650-17-00
Project Construction I.D. #: 9650-17-70
Hwy/Project Title : STH 47
Duquaine Road to N. Jct. CTH VV
County : Menominee
Construction Year : 2020
Let Date: 11/12/2019
Date this form is completed: 1/29/2019
Date this form is approved: 2/18/19

This Form Prepared by:

Mia Steuerwald

608-828-8183

mia.steuerwald@aec.com

NAME

PHONE

EMAIL

This Form Approved by:

Jon Motquin

715-421-8089

jon.motquin@dot.wi.gov

NAME

PHONE

EMAIL

Is a discharge of dredged or fill material into wetlands anticipated?

NO ☐ **→ Form complete; no further information is required (RETURN FORM TO REC).**

YES ☒ **→ 1. Complete remainder of form:**

After final wetland impacts are determined, complete yellow portions on both pages of this form and submit to REC for finalization and approval. Also provide a copy of wetland impact displays.

2. Include this final APPROVED form with DNR 401 request and USACE 404 permit application.

3. Provide a PDF copy of the USACE 404 permit and DNR 401/final concurrence letter to REC.

Wetland Delineation/**Determination completed by:**

Phil Eagan

715-342-3037

phil.eagan@aec.com

NAME

PHONE

EMAIL

Wetland Scientist

QUALIFICATIONS

Describe methods used to avoid and minimize impacts to wetlands:

Moving sidewalk adjacent to back of curb and steepening foreslopes at 6 feet off back of walk from 3:1 to 2.5:1.

**Was professional discretion
used to determine debit
ratio?**

No

Yes



Describe discretionary
rationale below:

**WETLAND IMPACT / REPLACEMENT
SUMMARY**

Type Impacted	Area Impacted	Type Mitigated	Area Mitigated
AB	-	AB	-
BOG	-	BOG	-
DM	-	DM	0.13
M	0.02	M	0.01
RPE	0.01	RPE	-
RPF	-	RPF	-
SM	0.02	SM	0.04
SS	0.10	SS	-
WS	-	WS	-
AB(D)	-	TOTAL	0.18
DM(D)	-		
M(D)	-		
RPE(D)	-		
RPF(D)	-		
SM(D)	-		
SS(D)	-		
WS(D)	-		
TOTAL	0.16		



WETLAND IMPACT TRACKING FORM - PAGE 2

DETAILED TABLE OF WETLAND IMPACTS

Notes for Page 2 completion:

1. A wetland area (ID) may be made up of multiple wetland types. Separate the impact area by type and report in separate rows.
2. To add additional rows, right click on row number within the table and select "insert". Repeat as needed.
3. Use Department of Transportation Wetland Classification System. See abbreviations tab.
4. Individual wetland impacts should be reported to the nearest 0.001-acre.
5. The Environmental Coordinator will enter the appropriate debit ratio, mitigation type, area, and bank information.
6. Impacts and mitigation are automatically summed by type and rounded to the nearest 0.01-acre. See page 1.

Point #	Wetland ID	Impact Location (project station)	Decimal Degrees		Type Impacted	Area Impacted	DOT REC will provide this information.		
			Latitude	Longitude			Debit Ratio	Type Mitigated	Area Mitigated
	WA-1	approx. 169+00 RT	44.885778	-88.637139	M	0.010	1.000	M	0.010
	WA-1	approx. 169+00 RT	44.885778	-88.637139	SS	0.038	1.200	DM	0.046
	WA-2	approx. 154+00	44.8835	-88.633528	RPE	0.014	1.300	SM	0.018
	WA-3	approx. 136+00 to 141+00	44.880194	-88.629972	M	0.014	1.000	DM	0.014
	WA-3	approx. 136+00 to 141+00	44.880194	-88.629972	SM	0.019	1.000	SM	0.019
	WA-3	approx. 136+00 to 141+00	44.880194	-88.629972	SS	0.061	1.200	DM	0.073
									0.000
									0.000
									0.000
									0.000
									0.000
									0.000
									0.000
									0.000
									0.000
									0.000
									0.000
									0.000
									0.000

Is there potential for onsite mitigation? If unknown, check with the REC.

YES

☐

Where is it located? (T/R, station, map)

NO

☒

List bank site to be used. (Determined by REC)

Bina

Please attach another sheet if the space provided is not adequate for all impacts or to add any additional comments.



WETLAND IMPACT TRACKING FORM

****This form must be filled out for all projects.****

Return This Completed Form to:

Jon Motquin
Environmental Coordinator
WisDOT-NC Region
1681 2nd Ave. South
Wisconsin Rapids, WI, 54495
Phone: (715) 421-8089
jon.motquin@dot.wi.gov

**Please Complete All Information
Highlighted In Yellow**

**WisDOT Regional
Environmental Coordinator
(REC) Will Complete Sections
Highlighted In Green**

Project Design I.D. #: 9650-17-00
Project Construction I.D. #: 9650-17-70
Hwy/Project Title : STH 47
DuQuaine Road to N. Jct. CTH VV
County : nominee
Construction Year : 2020
Let Date: 11/12/2019
Date this form is completed: 1/29/2019
Date this form is approved:

This Form Prepared by:

Mia Steuerwald 715-421-8183 mia.steuerwald@aec.com
NAME PHONE EMAIL

This Form Approved by:

NAME PHONE EMAIL

Is a discharge of dredged or fill material into wetlands anticipated?

NO ☐ **→ Form complete; no further information is required (RETURN FORM TO REC).**

YES ☒ **→ 1. Complete remainder of form:**

After final wetland impacts are determined, complete yellow portions on both pages of this form and submit to REC for finalization and approval. Also provide a copy of wetland impact displays.

2. Include this final APPROVED form with DNR 401 request and USACE 404 permit application.

3. Provide a PDF copy of the USACE 404 permit and DNR 401/final concurrence letter to REC.

**Wetland Delineation/
Determination completed by:**

Phil Eagan 715-342-3037 phil.eagan@aec.com
NAME PHONE EMAIL

Wetland Scientist
QUALIFICATIONS

Describe methods used to avoid and minimize impacts to wetlands:

Moving sidewalk adjacent to back of curb and steepening foreslopes at 6 feet off back of walk from 3:1 to 2.5:1. Note this form is only for the temporary impacts associated with this project. The permanent impacts are detailed on another spreadsheet.

**Was professional discretion
used to determine debit
ratio?**

No ☐
Yes ☐ **→ Describe discretionary
rationale below:**

**WETLAND IMPACT / REPLACEMENT
SUMMARY**

Type Impacted	Area Impacted	Type Mitigated	Area Mitigated
AB	-	AB	-
BOG	-	BOG	-
DM	-	DM	-
M	-	M	-
RPE	0.01	RPE	-
RPF	-	RPF	-
SM	-	SM	-
SS	-	SS	-
WS	-	WS	-
AB(D)	-	TOTAL	0.00
DM(D)	-		
M(D)	-		
RPE(D)	-		
RPF(D)	-		
SM(D)	-		
SS(D)	-		
WS(D)	-		
TOTAL	0.01		

PHOTOGRAPHIC LOG

Client Name: Wisconsin Department of Transportation		Site Location: WIS 47 – Wetland Delineation, Menominee County	Project No. 60285986
Photo No. 1	Date: 9/3/2014		
Direction Photo Taken: North			
Description: View of Wetland Area 1 (WA-1), behind the sumac.			

Photo No. 2	Date: 9/3/2014	
Direction Photo Taken: East		
Description: View of Wetland Area 2 (WA-2), the fringe of a small tributary of the Wolf River, looking upstream.		

PHOTOGRAPHIC LOG

Client Name: Wisconsin Department of Transportation		Site Location: WIS 47 – Wetland Delineation, Menominee County	Project No. 60285986
Photo No. 3	Date: 9/3/2014		
Direction Photo Taken: East			
Description: View of Wetland Area 3 (WA-3).			