



November 11, 2013

DOT: Brown, 10063

Andrew Fulcer, P.E.
Wisconsin Department of Transportation
944 Vanderperren Way
Green Bay, WI 54303

Subject: **Final Concurrence**
Project I.D. 4075-28-73, 4075-28-71, and 4095-10-72
Structure(s) B-5-381
STH 96 Reconstruction including Bridge over Fox River, and High St. Reconstruction
Village of Wrightstown
Brown County

Dear Mr. Fulcer:

Thank you for the information regarding the STH 96 reconstruction referenced above. Based on the information provided to us on September 23, 2013 the final project design addresses the environmental issues raised through the initial review letter and coordination process. The Department has determined that the water quality, floodplain and wetland protection objectives of the DOT/DNR Cooperative Agreement have been met. This concurrence also constitutes Water Quality Certification pursuant to Section 401, Clean Water Act. The Department has evaluated this proposal and has determined that this activity will be conducted in a manner which is consistent with the standards contained in NR 103 and NR 299, Wisconsin Administrative Code and water quality certification is granted.

Should the scope of the project change, consultation with this agency must be reinitiated. Further comment on the project may be presented at the preconstruction conference. This final concurrence is conditioned on the project construction being in conformance with our initial review letter and other previous coordination, with the DOT/DNR Cooperative Agreement and on the following project specific conditions:

Wetlands

The project will result in the permanent filling of 0.636 acres of wetlands and temporary filling of 1.277 acres of temporary impact. The total amount of wetland mitigation will be 0.968 acres. The Department understands that these losses will be charged against the Peshtigo Brook Phase 2 bank in Oconto County. The wetland types are riparian forest, wet meadow and scrub/shrub.

Waterway and Floodplain

Based on your computations, the Q_{100} discharge is 28,310 cfs, resulting in a predicted upstream water surface elevation of 601.8 feet. As this is the same as the existing condition, the Department has no habitat concerns as it pertains to these predicted floodplain elevations. However, if the floodplain will be raised: in accordance with the DOT/DNR Cooperative Agreement, DOT must notify the Brown County Zoning Administrator of this predicted upstream water surface elevation so that spirit and intent of the procedures in NR 116, Wisconsin Administrative Code are followed.

Temporary Structures

This project will include several temporary causeways in the Fox River and Plum Creek floodplain wetlands. DNR has worked with DOT on a plan for installation and removal of the causeways and a restoration plan for

Plum Creek floodplain wetlands. During construction these causeways will create the potential for sediment to fall into waterways and wetlands especially during winter months when traction becomes a concern. The contractor will need to develop a plan to deal with any sediment or other material placed on the causeway or generated as a result of traffic throughout construction to keep this material from entering waterways and wetlands.

Erosion Control

Proper erosion control measures must be used and maintained both during and after construction. An erosion control implementation plan (ECIP) must be developed by the contractor and submitted to this office 14 days prior to the preconstruction conference.

Other

Throughout coordination with DOT and the USACOE there have been several conditions agreed to by DOT to minimize environmental effects. These conditions are included in the Special Provisions and the Restoration Plan. Below is a partial list of the conditions agreed to by DOT:

1. Work in the Fox River must be avoided between March 1 and June 15.
2. A geotextile fabric or other material should be placed between the driving surface and the rock used for the causeways.
3. Water from dewatering activities needs to be filtered prior to being returned to the waterway or into a wetland.
4. All equipment and construction materials must not be stored in wetlands or waterways
5. Removal of the existing bridge should follow STSP 203-020, Removing Old Structure Over Waterway With Minimal Debris. Please coordinate with DNR if the bridge must be dropped into the waterway before removal.
6. Restoration Plum Creek floodplain wetlands will be monitored for two full growing seasons to assure compliance with the restoration plan. If the performance standards of the restoration plan are not met coordination with the Department will be needed.

If you have any questions, please contact this office at (920) 662-5119.

Sincerely,



James P. Doperalski Jr.
Environmental Analysis & Review Specialist
Northeast Region

CC: Joey Shoemaker - USACOE
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File