**From:** Rich Glen
**To:** Edwards, Brian - DOT
**Cc:** NE Local Program
**Subject:** 4854-03-00 CTH G, Fond du Lac County - stormwater - ENV
**Date:** Friday, August 05, 2016 8:04:03 AM

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Brian,

I talked to Peg Hawley about their request to have this project exempt from post-construction performance standards and their reasoning/request is related to the definition of "minor reconstruction of a highway."

In Trans 401.03(3)(f), it states that post-construction performance standards do not apply to "minor reconstruction of a highway" and further defines minor reconstruction as "reconstruction, as defined in s. 84.013 (1) (c), Stats., of any length of highway that does not widen the roadbed by more than 100 feet, and for which the total length of relocated highway and any added through travel lane does not exceed 1.50 miles. Two or more adjoining added through travel lanes shall be counted as one added through travel lane for purposes of determining the length of the added through travel lanes. A relocation of a highway that includes added through travel lanes shall be counted as one unit for purposes of determining the length of the relocation and added through travel lanes. Pavement widening for purposes of adding a passing lane is not an added through travel lane. Notwithstanding the exemption under this paragraph, if minor reconstruction causes a highway to lie within a buffer area, as defined in s. Trans 401.106 (6) (a), or increases the area of the roadway that lies within a buffer area, the requirements under s. Trans 401.106 (6) apply to that buffer area.

The project falls within the definition of reconstruction from 84.013(1)(c) and the buffer area discussion would only apply to wetland impacts for this project.

From this definition, I agree with Peg that this should be a 'minor reconstruction' and that it should be exempt from the post construction standards.

Please discuss with Tom and let us know what you think.

**Rich Glen, P.E.**
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