

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	No special or supplemental commitments required.
Business	No special or supplemental commitments required.
Agriculture	No special or supplemental commitments required.
Community or Residential	No special or supplemental commitments required.
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	Commitments Made. The signed Red Cliff Land Use Permit shall be on site and within view of the nearest public road. The contractor shall send a written notification of the commencement of fieldwork to the appropriate tribal government with a copy of such notification mailed to the Bureau of Indian Affairs, Midwest Regional Office prior to the commencement of such fieldwork. All excavated materials shall be returned as closely as practical to pre-excavation conditions. Vehicular activity shall be restricted to existing roadways and trails. The contractor shall conduct all operations in such a manner as to minimize or prevent environmental damage to all lands or waterways. The construction supervisor will assure the fulfillment of these commitments.
Section 4(f) and 6(f) or Other Unique Areas	No special or supplemental commitments required.
Aesthetics	No special or supplemental commitments required.
Wetlands	Commitments Made. Approximately 0.200 acres of wetland will be impacted. The wetland impacts will be mitigated at a state mitigation site at the appropriate ratio per the DOT Wetland Mitigation Banking Technical Guideline. The Regional Environmental Coordinator and construction supervisor will assure fulfillment of this commitment. Commitment will be in the special provisions.

Rivers, Streams and Floodplains	<p>Commitments Made. The contractor shall replace the culvert on the unnamed tributary to Lake Superior between June 15th and March 1st. This is a warm water fishery and this needs to be done in order to protect developing fish eggs and substrate for aquatic organisms. The invert elevations of the culvert pipe shall be set an adequate distance below the natural streambed as to allow for natural streambed sediment to occupy the bottom of the culvert pipe. The width and depth of the unnamed tributary shall not be altered. However, a minor amount of dredging necessary to place the structure elements is permissible. Adequate precautions should be taken to prevent transporting or introducing invasive species via construction equipment, as provided under chapter NR 40 Wis. Adm. Code. Any equipment coming into contact with surface waters must be properly cleaned and disinfected to address the spread of invasive species and viruses in accordance to STSP 107-055. The construction supervisor will assure fulfillment of this commitment. Commitments will be recorded in the special provisions.</p>
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	No special or supplemental commitments required.
Air Quality	No special or supplemental commitments required.
Construction Stage Sound Quality	No special or supplemental commitments required.
Traffic Noise	No special or supplemental commitments required.
Hazardous Substances or Contamination	No special or supplemental commitments required.
Storm Water	No special or supplemental commitments required.
Erosion Control	<p>Commitments Made. Standard WisDOT measures for erosion control and precautions during construction will be implemented according to the Wisconsin Standard Specifications for Highway and Structure Construction. Construction site erosion and sediment control procedures will be followed as set forth in TRANS 401 and the WisDOT/WDNR Cooperative Agreement. If erosion mat is used along stream banks, DNR recommends that biodegradable non-netted mat be used. The contractor should restrict the removal of vegetative cover and exposure of bare ground to the minimum amounts necessary to complete construction. Restoration of disturbed soils should take place as soon as conditions permit. The construction supervisor will assure fulfillment of these commitments. These commitments will be recorded in the notes to construction.</p>
Other	No special or supplemental commitments required.

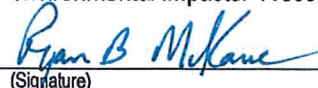
CATEGORICAL EXCLUSION CHECK LIST

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

WisDOT Design and Construction IDs 8357-01-02/72	Federal Project IDs (if available)	Legal Description (Township, Range, Section) T51N, R4W, Section 4, & T52N, R4W, Section 33 & 32	County Bayfield
Project Name T Russell, Little Sand Bay Road		Project Termini/ Location Old CTH K - Termini	
Name of Route or Facility to be Improved Little Sand Bay Road	Facility Classification Minor Collector	Improvement Type Resurfacing/Minor Reconditioning	
Estimated Project Cost in Year of Expenditure \$ (include R/W Cost) \$850,000, includes E&C and R/W, 2017		Funding Source(s) (check all that apply) <input type="checkbox"/> State <input checked="" type="checkbox"/> Federal <input checked="" type="checkbox"/> Local	
23 CFR 771.117(c) Project Type Number and Text 23 – Federally-funded projects: (i) that receive less than \$5,179,656.40 of Federal Funds			
Section 4(f) <input checked="" type="checkbox"/> None <input type="checkbox"/> De Minimis <input type="checkbox"/> Bikeway/ Walkway <input type="checkbox"/> Minor Park/ Rec <input type="checkbox"/> Minor Historic <input type="checkbox"/> Historic Bridge <input type="checkbox"/> Net Benefit <input type="checkbox"/> Exception			
Right of Way Acquisition 0.41 Total Acres Fee Simple Acres 0.41 Permanent Easement Acres Temporary Easement Acres			
Number of Buildings Acquired <input checked="" type="checkbox"/> None Vacant Buildings Occupied Buildings			
Name of Individual/ Firm Preparing this Form Erik Meyer/Westbrook Associated Engineers, Inc.		CE Preparation Date 9-12-2016	Environmental Process Start Date 8-18-2015

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)

Ryan McKane, P.E.

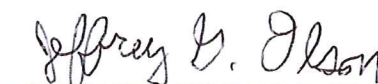
(Print Name)

2/20/2017

(Date)

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)

Jeff Olson, P.E.

(Print Name)

2/23/17

(Date)

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.



March 22, 2017

Erik Meyer
Westbrook Associated Engineers, Inc.
PO Box 429
Spring Green WI 53588

Subject: DNR Final Concurrence
Project I.D. 8357-01-02
Little Sand Bay Road (Old CTH K-Termini)
Bayfield County
Sec. 4, T51N, R4W through Sec. 29, T52N, R4W

Dear Erik:

Thank you for the information regarding the project referenced above. Based on the information provided to the Wisconsin Department of Natural Resources (DNR) on March 7, 2017, the final project design addresses the environmental issues raised through the initial review letter and coordination process. DNR has determined that the water quality, floodplain and wetland protection objectives of the DNR/DOT (Wisconsin Department of Transportation) Cooperative Agreement have been met. This concurrence also constitutes Water Quality Certification pursuant to Section 401, under the Federal Clean Water Act. The DNR has evaluated this proposal and has determined that this activity will be conducted in a manner which is consistent with the standards contained in chapters NR 103 and NR 299, Wis. Adm. Code, 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 DNR/DOT Cooperative Agreement and on the following project specific conditions:

Wetlands:

This project will result in the filling of .04 acres M, .01 acres RPF, .04 acres SS, and .11 acres WS, for a total of .20 acres of wetlands. The DNR understands that these losses will be charged against the Beartrap Creek bank in Bayfield County. The wetland type(s) debited are classified as .04 acres M, .04 acres SS, and .12 acres WS, for a total of .20 acres debited.

Fisheries/Stream Work:

The unnamed tributary to Lake Superior is a warmwater fishery. 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 June 15th and March 1st.

Erosion Control and Storm Water Management:

- Proper erosion control measures must be used and maintained during all phases of 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. Erosion control devices should be specified on the construction plans.

- If erosion mat is used along stream banks, the WDNR recommends that biodegradable 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.
- If dewatering is required for any reason, the water must be pumped into a properly selected and sized dewatering basin before the clean/filtered water is allowed to enter any waterway or wetland. The basin must remove suspended solids and contaminants to the maximum extent practicable. A properly designed and constructed dewatering basin must take into consideration maximum pumping volume (gpm or cfs) and the sedimentation rate for soils to be encountered. Do not house any dewatering technique in a wetland.
- The contractor should restrict the removal of vegetative cover and exposure of bare ground to the minimum amounts necessary to complete construction. Restoration of disturbed soils should take place as soon as conditions permit. If sufficient vegetative cover will not be achieved because of late season construction, it will be important that the site is properly winterized
- All temporary stock piles must be in an upland location and protected with erosion control measures (e.g. silt fence, rock filter-bag berm, etc.). Do not stockpile materials in wetlands, waterways, or floodplains.

Other Issues/Unique Features:

This project may require a permit from the U.S. Army Corps of Engineers (ACOE). For further details you will need to contact Bill Sande of the ACOE located in the Hayward office, at 715-934-2170. All local, state, and federal permits and/or approvals must be obtained prior to commencing construction activities.

All selected sites for waste and/or borrow must be an adequate distance from and not within any waterway, wetland, or floodplain. Selected sites must have erosion control measures installed to prevent offsite sediment runoff, both temporary and/or permanent. Additional environmental review will have to be conducted on selected sites that are not permitted (commercial) facilities. Other special conditions may apply to any non-permitted selected sites, which must be identified in the ECIP.

If you have any questions, please contact this office at 715-635-4228, or email at shawn.haseleu@wi.gov.

Sincerely,



Shawn Haseleu
Environmental Analysis & Review Specialist

cc: Bill Sande, ACOE
Amy Adrihan, DOT NW Region - Superior
Ryan McKane, Knight E/A, Inc.
Jennifer Croonborg-Murphy, Bayfield County Zoning



REPLY TO ATTENTION OF
REGULATORY BRANCH

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

Regulatory File No. 2016-00044-WMS

NOV 15 2016

Mr. Paul "Rocky" Tribovich
Town of Russell
35900 STH 13
Bayfield, Wisconsin 54814

Dear Mr. Tribovich:

Authority is hereby granted for your project to discharge fill material on the bed of an unnamed tributary to Lake Superior and into 0.20 acre of wetlands for the reconstruction of 2.6 miles of Little Sand Bay Road from Old CTH K to the project termini at Little Sand Bay Campground (Project ID 8357-01-02/72). The project site is located in Section 4, T. 51N., R. 4W., and Sections 32 and 33, T. 52N., R. 4W., Bayfield County, Wisconsin.

The authorized work is shown on the enclosed drawings labeled 2016-00044-WMS, Page 1 of 12 through Page 12 of 12, and are hereby incorporated as part of this Letter of Permission. This authorization is issued under the provisions of LOP-10-R.

This action is based upon the recommendation of the Chief of Engineers and under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344). The authorization is subject to the enclosed General and Standard Conditions.

Additionally, the following special condition is a part of this authorization:

1. The loss of 0.20 acre of wetland will be compensated for by debiting 0.20 acre of wetland credit (0.04 wet meadow; 0.04 scrub shrub; and 0.12 wooded swamp) from the Bear Trap Creek Wetland Mitigation Bank located in Bayfield County in accordance with the Wetland Mitigation Banking Technical Guidelines.

The time limit for completing this authorized work ends three years from the date of this letter.

If your project will require off-site fill material that is not obtained from a licensed commercial facility, you must notify us at least five working days before start of work. A cultural resources survey may be required if a licensed commercial facility is not used.

This Federal authorization does not obviate the need to obtain other federal, state, or local authorization required by law.

This letter constitutes an initial proffered permit and contains a copy of the preliminary jurisdictional determination (JD) for your project. Also enclosed is a Notification of Administrative Appeal Options and Process (NAP) fact sheet and Request for Appeal (RFA) form which provides information regarding your right to object to these determinations.

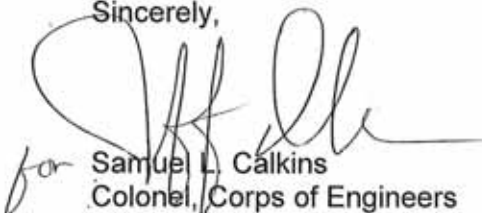
If you object to the terms and/or conditions of this initial proffered permit, please see Section I-A and complete Section II of the RFA and submit it to the District Engineer in accordance with 33 CFR 331. Your objections to the initial proffered permit must be received by the St. Paul District Office within 60 days of the date of the NAP or you will forfeit your right to challenge the terms or conditions of the permit.

Before accepting the RFA, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 C.F.R. § 331.5, and that it has been received by the District or Division Office within 60 days of the date of the NAP.

It is not necessary to submit an RFA form to the Corps District or Division Office if you do not object to the initial proffered permit.

The preliminary JD prepared for the site described above is not appealable. The preliminary JD is a written indication that there may be waters or wetlands subject to federal jurisdiction on the site or an indication of the approximate location(s) of waters or wetlands on a parcel. If you wish to receive an approved jurisdictional determination, please see Section I-E. If this preliminary JD is acceptable, please sign and date both copies of the preliminary JD form and return one copy to the address below within 30 days from the date of this letter.

If you have any questions, contact Bill Sande in our Hayward office at (651) 290-5882. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

for Samuel L. Calkins
Colonel, Corps of Engineers
District Commander

Enclosures:
LOP-R Conditions
Preliminary Jurisdictional Determination

Copy furnished to:
Shawn Haseleu, WDNR, Spooner
Erik Meyer, Westbrook Associated Engineers, Spring Green