# CATEGORICAL EXCLUSION CHECK LIST



FOR 23 CFR 771.117(c) ACTIONS

Wisconsin Department of Transportation

Revised July 2015

WisDOT Design and Construction IDs 8461-00-00 / 8461-00-70	Federal Projet 2014346	ct IDs (if available)		Legal Description (Township, Range, Section) T39N, R5W, Section 32		County Sawyer		
Project Name Village of Winter, Railroad Ave,	CNW RR I	Depot		oject Termini/ Loca ailroad Aven		W Railroad Dep	ot	
Name of Route or Facility to be Improved Non-Highway		Facility Classification Non-Highway	·			Improvement Type Miscellaneous		
Estimated Project Cost in Year of Expenditure \$ (include R/W Cost)			Fu	Inding Source(s) (	check all f	hat apply)		
\$379,392.00 (2018)	\$379,392.00 (2018)			State		🔀 Federal	🔀 Local	
23 CFR 771.117(c) Project Type Number and 23 – Federally-funded projects: (		ive less than \$5,40	3,484.88	8 of Federal f	funds.			
Section 4(f)	Bikeway/	Walkway 🗌 Minor	Park/ Rec	Minor H	listoric	Historic Bridge	Net Benefit	Exception
Right of Way Acquisition								
0 Total Acres Fee Simple Acres Pe		Permanent I	Easement Acres		Temporary E	Easement Acres		
Number of Buildings Acquired								
None Vac	ant Buildings	(	Occupied Bu	uildings				
Name of Individual/ Firm Preparing this Form Ross Johnson / WisDOT NW Region		CE Prep 8/xx/2	aration Date 018		Environmental Proce 1/03/2013	ss Start Date		

# 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)		
Amy Adrihan		
(Print Name)		

# 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)	(Signature)
Amy Adrihan	Ross Johnson
(Print Name)	(Print Name)
(Date)	(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.

I. Proposed (c)-list Categorical Exclusion – Insert the number and text of the applicable FHWA (c)-list CE from 28 GFA FT 771.117(c). Updated copies of the FHWA CE regulations are available on the US Government Printing Office Website.

23 – Federally-funded projects: (i) That receive less than \$5,403,484.88 of Federal funds.

Project is not being processed as a (c)(26), (c)(27), or (c)(28) project

Projects proposed for approval as (c)(26), (c)(27), or (c)(28) actions must not include any of the conditions specified in 23 CFR 771.117(e). Check all boxes that apply to the proposed project. If any boxes are checked, the project cannot be documented with this checklist. Instead, process it with a PCE if it meets the criteria in Section VII of the FHWA – WisDOT CE Agreement. If the action is disqualified by the Section VII criteria, prepare an ER, EA, or EIS, as applicable.

23 CFR 771.117(e) Actions described in (c)(26), (c)(27), and (c)(28) of this section may not be processed as CEs under paragraph (c) if they involve:

(1) An acquisition of more than a minor amount of right-of-way or that would result in any residential or non-residential displacements

\*In Wisconsin, a minor amount of right-of-way is defined as fee or PLE acquisition  $\leq 1$  acre/ mile on average for (c)(26) actions and  $\leq 0.5$  acre total for (c)(27)&(28) actions.

- (2) An action that needs a bridge permit from the US Coast Guard
- (2) An action that does not meet the terms and conditions of a US Army Corps of Engineers nationwide or general permit under Section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act of 1899
- (3) A finding of "adverse effect" to historic properties under the National Historic Preservation Act
- (3) The use of a resource protected under 23 USC 138 or 49 USC 303 (Section 4(f)) except for actions resulting in *de minimis* impacts

\*If a project includes a 4(f) de minimis determination or programmatic evaluation, the 4(f) documentation must be submitted to FHWA for review and approval before final approval of this CE.

- (3) A finding of "may affect, likely to adversely affect" threatened or endangered species or critical habitat under the Endangered Species Act
- (4) Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions

\*In Wisconsin, projects resulting in major traffic disruptions are those that require a Transportation Management Plan Type 3 or Type 4, as defined in FDM 11-50-5.

(5) Changes in access control

\*In Wisconsin, changes in access control are any changes beyond minor longitudinal shifts in existing access. Creation of new access, removal of existing access, or substantial shifts in existing access disqualifies a project from using this checklist.

(6) A floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreation trails, bicycle and pedestrian paths); construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers

**II. Description of Proposed Action** – Provide a concise project description below, including the project purpose and need and scope of work. Attach a project location map and other appropriate exhibits (existing and proposed typical sections, etc.). The description must be consistent with the specific CE listed in Section I, above.

# Project Location:

The proposed Transportation Alternatives Program (TAP) project is located at the vacant CNW railroad depot building and property (Winter Depot) in the Village of Winter, Sawyer County, Wisconsin. The project site is located in the northwest quadrant of the intersection of Railroad Avenue and Main Street. The property includes the Tuscobia State Trail and is owned by the Wisconsin Department of Natural Resources. See **Appendix A** a for a project location map. See **Figure 1** and **Figure 2** for photographs of the existing depot building.

The construction phase of this project was included in the 2009-2012 Statewide Transportation Improvement Plan (STIP).

This is a non-highway project not on the National Highway System nor part of a long truck route.





FIGURE 1

FIGURE 2

#### **Existing Facility**

The Winter Depot, constructed in 1905, is the last remaining railroad depot on the former Park Falls branch of the Chicago & Northwestern (CNW) rail line between Tuscobia and Park Falls, Wisconsin. The Chicago, St Paul, Mpls and Omaha Railway preceded the CNW and was the original builder and operator of the branch. The CNW railroad was a consolidation of the Chicago, St Paul and Mpls Railway Company, the Northern Wisconsin Railway Company, and the St Paul and Sioux City Railroad Company.

The main northern rail lines formed an "X" from Eau Claire to Spooner to Bayfield, and from Hudson to Spooner to Itasca/Superior. The Park Falls branch began in 1899 and reached Park Falls in 1914. For nearly 70 years this branch served as the lifeblood of the area by supporting the logging, farming, and service industries that developed along the route. The Park Falls branch came from the right side of the "X" at Tuscobia, traveling east through Winter to Park Falls.

The CNW line to Park Falls was discontinued in 1965. The Winter Depot closed in 1968, and the railroad was removed in 1971. The depot building is a valued local landmark. The depot was placed on the local historical registry via local ordinance by the Village of Winter. The building is currently vacant, in poor condition without modern plumbing and electrical systems, is not ADA compliant, and is closed to the public.



In 2016, the Wisconsin Department of Natural Resources and the Friends of the Tuscobia Trail completed site work to move the adjacent trail segment to the north side of the building. This work was in the scope of the TAP project application, but is now complete and no longer included in the proposed action. A news article about the 2016 work is included in **Appendix B**. See **Figure 3** for an aerial photograph of the site prior to 2016, showing the original trail route along the south side of the building. **Figure 2** shows a photograph of the current (2016) trail route past the north side of the building.

FIGURE 3

# Tuscobia State Trail



The Tuscobia State Trail is a 74-mile long, year-round multiple use recreational trail that offers opportunities for ATVs, snowmobiling, horseback riding, off-road bicycling and walking. The trail occupies the former CNW rail corridor, and is one of the longest rail trails in the state, running from Park Falls to the Wild Rivers State Trail just north of Rice Lake. The trail passes through part of the Flambeau River State Forest and the rugged wilderness of Wisconsin's Blue Hills. The trail connects seven small communities in Barron, Washburn, Sawyer and Price counties, each providing year-round accommodations and services.

# Project Background

The project was approved in the 2009-2011 Transportation Alternatives Program (TAP). Per a Memorandum of Understanding with the Wisconsin Department of Natural Resources, custody of the depot building has been temporarily transferred to the Friends of the Tuscobia Trail organization for purposes of completing the proposed action. Upon completion of the project, custody of the depot building will revert to the Wisconsin Department of Natural Resources.

No additional right of way is required for the project.

#### Purpose

The purpose of the project is to address the lack of a visitor information and trailhead facility on the Tuscobia State Trail in the Village of Winter.

#### Need

Trail users and visitors to the Village of Winter find it inconvenient to search for services and information about the village and its history, and to find convenient public access to the Tuscobia State Trail. A central, convenient location with access to the trail is needed to provide information about the village and its history, and to provide trail access and rest opportunity for trail users, visitors, and village residents.

# Summary of Alternatives

A *No Build* alternative would not attempt to remodel the existing depot building and take advantage of its location and history. The *No Build* alternative is not prudent as it does not satisfy the Purpose & Need of the project, but is considered as a baseline to evaluate other alternatives.

A *Restoration* alternative is the preferred alternative. This alternative will remodel the existing depot building for public use and restore selected architectural features to original condition. The *Restoration* alternative is prudent and feasible, and satisfies the Purpose & Need of the project.

# Proposed Action

In the TAP Program application, the Friends of the Tuscobia Trail and Happyland Historical Society envisioned the depot housing a historical display that will outline the history of the railroad line, and its contribution to the development of the villages along the railroad corridor. The remodeled Winter Depot will also serve as a trailhead for the Tuscobia State Trail, providing convenient public parking and restrooms. The depot will also incorporate new office space for the Winter Area Chamber of Commerce Welcoming Center.

The scope of work consists of interior and exterior renovation of the existing wood framed depot structure. Planned improvements include lowering a section of the interior wood floor, installing new doors and windows, new restrooms, and a new exterior deck and ramp. Minimal site work to bring utilities to the building and provide American with Disabilities Act (ADA) access is included. A walkway will be constructed to connect the building to the Tuscobia Trail. New interior plumbing, HVAC and electrical will also be included in the project.

Architectural features will be restored to the depot's historical era of active operation. The building will be open to the public year-round for the viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for Tustorial viewing of historical exhibits, and will offer public restroom facilities for the historical exhibits and the historial viewing of historical exhibits and the historical ex

# Public Involvement

The first Public Involvement Meeting was held on December 2, 2011. The project is supported by the local community and the Sawyer County Board of Supervisors. The project was discussed and renewed at a full county board meeting on June 18, 2015. Since 2015, regular monthly board meetings of the Friends of the Tuscobia Trail organization have been held which have provided ongoing opportunity for public comment, and to keep the public informed of project status. The board meetings are advertised as open meetings in the Sawyer County Gazette community calendar.

III. Project is a Complete FHWA Action – Check all boxes that apply to the proposed project. To process your project with this checklist, you must be able to check either boxes (1-3) or the last box. If this is not possible, adjust the scope of the project to meet the criteria.

23 CFR 771.111(f) In order to ensure meaningful evaluation of alternatives and to avoid commitments to transportation improvements before they are fully evaluated, the action evaluated shall:

- $\boxtimes$ (1) Connect logical termini and be of sufficient length to address environmental matters on a broad scope
  - (2) Have independent utility or independent significance, i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made
  - (3) Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements
  - Project is not an action resulting in construction and does not require compliance with (1-3) above

IV. Categorical Exclusion Definition - Check all boxes that apply to the proposed project. If you are unable to check a box in this section, evaluate the scope of the project and prepare more detailed environmental documentation.

23 CFR 771.117(a) Categorical exclusions (CEs) are actions which, based on past experience with similar actions, do not involve significant environmental impacts. They are actions which:

- Do not induce significant impacts to planned growth or land use for the area  $\boxtimes$
- $\boxtimes$ Do not require the relocation of significant numbers of people
- Do not have a significant impact on any natural, cultural, recreational, historic or other resource
- Do not involve significant air, noise, or water guality impacts
- $\boxtimes$ Do not have significant impacts on travel patterns
- $\overline{\square}$ Do not otherwise, either individually or cumulatively, have any significant environmental impacts

V. Unusual Circumstances - Check all boxes that apply to the proposed project. If any boxes in this section are checked, evaluate the scope of the project and coordinate with FHWA regarding the completion of more detailed environmental documentation.

23 CFR 771.117(b) Any action which normally would be classified as a CE but could involve unusual circumstances will require the FHWA, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is proper. Such unusual circumstances include:

- (1) Significant environmental impacts
  - (2) Substantial controversy on environmental grounds
- (3) Significant impact on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act
- (4) Inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the action
- Other unusual circumstances not listed in FHWA regulations (describe below) (In Wisconsin, auxiliary lane and capacity expansion projects that are proposed for processing with this checklist are examples of unique or unusual circumstances and will require consultation with FHWA before proceeding with the project.)

Describe any unique or unusual circumstances and subsequent coordination with FHWA:

VI. Supporting Documentation – List any additional discussion, agency correspondence, or supporting documentation used in this CE determination. Attach this documentation to the checklist and maintain a copy in the project file. Projects with 4(f) *de minimis* determinations or programmatic evaluations will require review by WisDOT Central Office and review and approval by FHWA prior to the approval of this CE.

# **Environmental Justice**

There is no indication that the proposed improvements would affect any individuals, groups, or populations subject to Environmental Justice requirements. No residential relocations are taking place and existing trail access will remain. Thus, there will be no disproportionate impacts to any populations covered by EO 12898 on Environmental Justice. There are no Environmental Justice concerns with the proposed action.

# **Hazardous Materials**

A Phase 1 Hazardous Materials Assessment site summary was signed on November 27, 2012. No hazardous material is anticipated to be discovered during utility excavation. The contract special provisions will include WisDNR coordination requirements should any suspected contamination be discovered.

# Wetlands

There are no wetland impacts identified for this project.

# Section 106

The project was placed on the WisDOT Screening List for Archeology and History on May 1, 2018. No resource impacts are anticipated. The project cleared WisDNR archeological and history review on May 31, 2018.

# Section 4(f) and 6(f)

The project activities will occur on Section 4(f) protected lands owned by Wisconsin DNR. The use of the Section 4(f) protected lands is solely for the purpose of preserving and enhancing the activities, features, and attributes that qualify the lands for Section 4(f) protection. The project qualifies for a Section 4(f) exemption per 23 CFR 774.13 (g). Concurrence for the exemption has been provided by WisDNR.

The proposed project does not result in conversion of 6(f) protected LAWCON lands because it is a permissible recreational amenity that enhances the property. The proposed project will not impact any of the uses or amenities provided by the Tuscobia Trail. The project was cleared by WisDNR for 6(f) impacts on May 22, 2018. WisDNR determined that the project will benefit the public and includes no permanent above-ground infrastructure that impacts recreational resources.

# List of Appendices

- Appendix A: Project Location Map
- Appendix B: News Article, Sawyer County Record
- Appendix C: Preliminary Plans
- Appendix D: Wisconsin DNR Correspondence
- Appendix E: Phase I Hazardous Materials Assessment Site Summary
- Appendix F: U.S. Fish & Wildlife Service Correspondence
- Appendix G: Native American Letter and Correspondence
- Appendix H: Factor Sheet C-7, Threatened, Endangered and Protected Resources Evaluation
- Appendix I: Factor Sheet B-8, Section 4(f) and 6(f) or Other Unique Areas
- Appendix J: Programmatic Environmental Checklist cover page (2013)

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	No special or supplemental commitments required.
Section 4(f) and 6(f) or Other Unique Areas	The Tuscobia Trail shall remain open to the public at all times for the duration of the project. The Project Sponsor shall assure the commitment is implemented.
Aesthetics	No special or supplemental commitments required.
Wetlands	No special or supplemental commitments required.
Rivers, Streams and Floodplains	No special or supplemental commitments required.
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	Limit construction to daylight hours or the requirements of any local noise ordinance. The Project Sponsor shall ensure compliance to the limits.
Traffic Noise	No special or supplemental commitments required.
Hazardous Substances or Contamination	Any potential contamination discovered during construction activities will be coordinated with WisDNR as required in the PSE documents. Project Sponsor shall assure any commitments are implemented.
Storm Water	No special or supplemental commitments required.

Erosion Control	Site disturbance will be no more than six (6) months in duration for purposes of utility construction. Work on the interior / exterior of the building itself may extend beyond 6 months. The site will be protected by the use of WisDNR best management practices as necessary. Plans and Specifications will reference appropriate WisDNR technical standards for any erosion control measures to be installed during construction. The Project Sponsor shall assure the commitments are implemented.
Other	



**APPENDIX A** 

**PROJECT LOCATION MAP** 



C-2



**APPENDIX B** 

**NEWS ARTICLE** 



http://www.apg-wi.com/sawyer\_county\_record/sports/outdoors/winter-depot-site-work-to-begin-this-week/article\_32e5b63e-1785-11e6-93b7-0faac8bfb79c.html

# Winter Depot site work to begin this week

Ron Petit For the Record May 12, 2016



This 1905 depot located in the village of Winter is set to be restored for new multi-use tourism facility. Frank Zufall

Site work for the Winter Depot Project will begin this week, according to representatives of the Friends of the Tuscobia Trail.

Michael Repyak, Department of Natural Resources northwest district trails coordinator, and Todd Hintz, Tuscobia Trail manager, said work will involve re-routing the trail so that it passes in front of the original depot agent's lookout booth.



Also scheduled is earthwork to prepare for the creation of a parking lot and a fence that will pass between the depot/trail property and the Winter Co-op.

Bidding on renovation of the depot building cannot occur until 2017, under Department of Transportation directive and funding restrictions. Planning and fundraising for the building refurbishing is ongoing.

When completed the depot will serve as a Chamber of Commerce Welcoming Center, trailhead, historical display and headquarters for the Friends group. For a preview of what some of the historical offerings will include, log onto Happy Land Wisconsin Historical Society at https://www.facebook.com/HappyLandWisconsin.



**APPENDIX C** 

PRELIMINARY PLANS

CHICAGO, ST. PAUL, MINNEAPOLIS & OMAHA RAILROAD DEPOT REHABILITATION:

# **CNW RAILROAD DEPOT WELCOME CENTER** VILLAGE OF WINTER RAILROAD AVENUE

5171N MAIN STREET, WINTER, WI 54896

# FRIENDS OF THE TUSCOBIA TRAIL, SAWYER COUNTY, WISCONSIN DNR, & THE VILLAGE OF WINTER



CENTER A MELCOME CENTER, WINTER, WI 54896 31714 MANU STREET, WINTER, WI 54896



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ALL GAS PIPING INSTALLATIONS SHALL COMPLY WITH NFPA 54.

HVAC CONTRACTOR TO PROVIDE OPERATION AND MAINTENANCE (OSM) MANUALS TO OWNER AND HVAC DESIGNER AT END OF PROJECT.

ALL REQUIRED TESTING AND BALANCING IS TO I MPLE TED BY THE HVAC CONTRACTOR AT THE E THE PROJECT. A REPORT IS TO BE PROVIDED 1 : ARCHITECT AND OWNER.

ALL DUCTWORK IS TO BE SEALED AND KEPT FREE FROM DEBRIES, DUST, I.E.C. DURINN THE CONSTRUCT PASE OF THE PROJECT WORK. THE HVAC CONTRA MILL BE RESPONSIBLE FOR THIS TASK.

\* ALL SUPPLY DUCTS IN ATTICS AND CRAMLSPACE SHALL E NSULATED TO A MIN. OF R-8. ALL OTHER DUCTS SHALL BE NSULATED TO A MIN. OF R-8.

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**APPENDIX D** 

WISCONSIN DNR CORRESPONDENCE



Hi Ross,

It is the DNR's understanding that this project will provide facilities that will enhance user experience on the Tuscobia Trail and will not preclude the intended purpose of the property from the public. As such, DNR agrees with the statement regarding 4(f) compliance that "the use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection."

If you need anything further from me, please let me know.

Sincerely,

#### We are committed to service excellence.

Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

#### Jeff Pennucci

Northwest District Parks Supervisor Bureau of Parks and Recreation Management Wisconsin Department of Natural Resources 107 Sutliff Ave. Rhinelander, WI 54501 Phone: (715) 365-8949 Cell Phone: (715) 614-0270 Fax: (715) 365-8932 Jeff.Pennucci@Wisconsin.gov



From: Johnson, Ross - DOT
Sent: Tuesday, August 7, 2018 12:59 PM
To: Bump, Cameron M - DNR <Cameron.Bump@wisconsin.gov>; Pennucci, Jeff F - DNR
<Jeff.Pennucci@wisconsin.gov>; Yankowiak, Daniel J - DNR <Daniel.Yankowiak@wisconsin.gov>
Subject: 8461-00-00 Winter Depot Section 4(f) environmental concurrence 080718

Hi Cameron,

We are working to conclude the environmental coordination for the Winter Depot project.

The project will occur on Section 4(f) protected lands owned by Wisconsin DNR.

If the use of Section 4(f) protected lands is solely for the purpose of preserving and enhancing the activities, features, and attributes that qualify the lands for Section 4(f) protection, then the project qualifies for a Section 4(f) exemption per 23 CFR 774.13 (g).

For the Winter Depot project to qualify for the exemption, the resource owner (WisDNR) must agree in writing with the following specific statement found in the federal code:

23 CFR 774.13 (g) 1:

"The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection."

Does WisDNR agree with this statement?

Please reply all,

Thanks-

Ross Johnson, P.E. Local Program Project Manager Office: (715) 836-2069 Cell: (715) 210-0488 E-mail: ross.johnson@dot.wi.gov Wisconsin Department of Transportation 718 West Clairemont Avenue Eau Claire, WI 54701



From:	Bump, Cameron M - DNR
To:	<u>Johnson, Ross - DOT;</u> Zimmer, William - DOT
Cc:	<u> Adrihan, Amy - DOT;</u> <u>Haseleu, Shawn - DNR</u>
Subject:	FW: SY-AHI 18577STRE: Arch/Hist ReviewTuscobia Trail, Winter Depot, Sawyer County
Date:	Thursday, May 31, 2018 12:26:26 PM

DNR clearance for SHPO...

#### We are committed to service excellence.

Visit our survey at <u>http://dnr.wi.gov/customersurvey</u> to evaluate how I did.

Cameron Bump Phone: (715) 839-2786 Cameron.Bump@Wisconsin.gov

From: Dudzik, Mark J - DNR
Sent: Thursday, May 31, 2018 12:24 PM
To: Bump, Cameron M - DNR <Cameron.Bump@wisconsin.gov>
Cc: Vanlanduyt, Melissa A - DNR (Missy) <Melissa.Vanlanduyt@wisconsin.gov>
Subject: SY-AHI 18577...ST...RE: Arch/Hist Review...Tuscobia Trail, Winter Depot, Sawyer County

PROJECT CLEARED (structure is not eligible for NRHP)

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-----Original Message-----From: Bump, Cameron M - DNR Sent: Thursday, May 31, 2018 11:36 AM To: Dudzik, Mark J - DNR <<u>Mark.Dudzik@wisconsin.gov</u>> Cc: Vanlanduyt, Melissa A - DNR (Missy) <<u>Melissa.Vanlanduyt@wisconsin.gov</u>> Subject: Arch/Hist Review...Tuscobia Trail, Winter Depot, Sawyer County Importance: High

Mark- We need your review and sign-off for this DOT-grant funded project. There is a DNR match under project DPS: 14011 <u>http://intranet.dnr.state.wi.us/CapitalDevelopment\_Int/Closing.aspx?ID=12509&O=4</u>

Attached are detail drawings and DOT-SHPO review of the project. I also attached a map of the project location (T39N, R5W, Sec 32, SE1/4 of the NE1/4). Let me know if you need more details and I will gladly find them for you.

Thanks!

We are committed to service excellence. Visit our survey at <u>http://dnr.wi.gov/customersurvey</u> to evaluate how I did.

Cameron Bump Phone: (715) 839-2786

#### Cameron.Bump@Wisconsin.gov

-----Original Message-----From: Johnson, Ross - DOT Sent: Thursday, May 31, 2018 10:14 AM To: Haseleu, Shawn - DNR <<u>Shawn.Haseleu@wisconsin.gov</u>> Cc: Bump, Cameron M - DNR <<u>Cameron.Bump@wisconsin.gov</u>>; Zimmer, William - DOT <<u>William.Zimmer@dot.wi.gov</u>> Subject: FW: 8461-00-00 RE: Tuscobia - Winter Depot LAWCON Clearance DNR SHPO review 053118 Importance: High

Hi Shawn,

We are working to help Sawyer County deliver the TAP project to renovate the old railroad depot building in the Village of Winter.

DNR has cleared it for 6(f), and subsequently directs a review by DNRs SHPO officer (Mark Dudzik).

Is this something you can advise and help us coordinate?

I have attached the draft plans and original DOT literature review and screening. Thanks-

Ross

From:	Bump, Cameron M - DNR
To:	<u>Johnson, Ross - DOT</u>
Subject:	RE: Winter Depot, Threatened/Endangered Resources Review
Date:	Wednesday, July 11, 2018 1:29:02 PM

Hi Ross, sorry for the wait. Tis the season for busy park and rec guys... The feedback I got was to follow the conservation plan I sent earlier since there were no hibernaculum hits for this project. That will satisfy the requirements to protect northern long ear bats.

From: Johnson, Ross - DOT Sent: Monday, July 9, 2018 7:38 AM To: Bump, Cameron M - DNR Subject: RE: Winter Depot, Threatened/Endangered Resources Review

Hi Cameron, just checking back- thanks!

From: Bump, Cameron M - DNR Sent: Thursday, June 21, 2018 11:37 AM To: Johnson, Ross - DOT <Ross.Johnson@dot.wi.gov> Subject: RE: Winter Depot, Threatened/Endangered Resources Review

Ross, I have a call into one of our experts. I will hopefully here soon from him.

We have a broad incidental take permit<<u>https://dnr.wi.gov/topic/ERReview/Documents/BatConservationPlan.pdf</u>> that lists some time frames for exclusion if applicable. Key date is after 8/16. Here is an excerpt on this...

F. Miscellaneous Building Projects (e.g., roofing, painting, siding)1. Projects occurring where there is no evidence of bat presence (see Appendix 3) do not have any restrictions.

2. Projects occurring from June 1 – August 15 where there is evidence of bat presence (see Appendix 3):

• For roofing projects during this time period, bats must be excluded from the building 5-7 days prior to the project. Take must still be minimized during the course of the project by following the approved exclusion protocols listed in Appendix 5. Exclusion practices used that are not described in Appendix 5 are in violation of this permit/authorization.

• If painting or siding and bats are found behind shutters or siding, set the shutters or siding down and leave the area, once the bats have left continue with repairs.

3. Projects occurring from August 16 – May 31 where there is evidence of bat presence (see Appendix 3):

• Full bat exclusions do not need to be conducted prior to the project, however take must still be minimized during the course of the project by following applicable exclusion protocols listed in Appendix 5. Exclusion practices used that are not described in Appendix 5 are in violation of this permit/authorization.

• If painting or siding and bats are found behind shutters or siding, set the shutters or siding down and leave the area, once the bats have left continue with repairs.

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Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

# DRAFT

Cameron Bump Phone: (715) 839-2786 Cameron.Bump@Wisconsin.gov<<u>mailto:Cameron.Bump@Wisconsin.gov</u>>

From: Johnson, Ross - DOT Sent: Thursday, June 21, 2018 10:19 AM To: Bump, Cameron M - DNR <Cameron.Bump@wisconsin.gov<<u>mailto:Cameron.Bump@wisconsin.gov</u>>> Subject: RE: Winter Depot, Threatened/Endangered Resources Review

or any 'maternity roost tree'? Thanks

From: Johnson, Ross - DOT Sent: Wednesday, June 20, 2018 2:59 PM To: Bump, Cameron M - DNR <Cameron.Bump@wisconsin.gov<<u>mailto:Cameron.Bump@wisconsin.gov</u>>> Subject: RE: Winter Depot, Threatened/Endangered Resources Review

Thanks Cameron- this would indicate there is no NLEB hibernaculum within 1/2 mile, correct?

From: Bump, Cameron M - DNR Sent: Tuesday, June 19, 2018 3:17 PM To: Johnson, Ross - DOT <Ross.Johnson@dot.wi.gov<<u>mailto:Ross.Johnson@dot.wi.gov</u>>> Subject: Winter Depot, Threatened/Endangered Resources Review

Hi Ross, I conducted an NHI search for the Winter Depot project. There are no listed species that would be affected by this project.

The only species listed is the bald eagle, and since the project is a building restoration in the Village of Winter, there would be no impacts. I've attached the NHI document.

We are committed to service excellence. Visit our survey at <u>http://dnr.wi.gov/customersurvey</u> to evaluate how I did.

Cameron Bump Park & Recreation Specialist – Bureau of Parks & Recreation Management Wisconsin Department of Natural Resources Phone: (715) 839-2786 Cell Phone: 715-514-8235 Cameron.Bump@Wisconsin.gov<<u>mailto:Cameron.Bump@Wisconsin.gov</u>>

[cid:image001.gif@01D41757.D41CAE30]<<u>http://dnr.wi.gov/></u> dnr.wi.gov<<u>http://dnr.wi.gov/></u> [cid:image002.gif@01D41757.D41CAE30]<<u>http://facebook.com/WIDNR</u>> [cid:image003.gif@01D41757.D41CAE30]<<u>http://twitter.com/WDNR</u>> [cid:image004.gif@01D41757.D41CAE30]<<u>http://www.flickr.com/photos/widnr/></u> [cid:image005.gif@01D41757.D41CAE30]<<u>http://www.youtube.com/user/WIDNRTV</u>> [cid:image006.gif@01D41757.D41CAE30]<<u>http://dnr.wi.gov/rss/</u>>

# CORRESPONDENC

DNDENCE/MEMORANDUM	State of Wisconsin
May 22, 2018	
Cameron Bump, Trail Coordinator, WDNR	$\sim$
Jennifer Gihring, Grant Manager, WDNR	

SUBJECT:	LAWCON Clearance for Winter Depot Welcome Center, Tuscobia State Trail (T39N R5W S32)
	erves as clearance of LAWCON interests for proposed installation of underground utilities and
building upgr	ades needed to develop the Winter Depot Welcome Center along the Tuscobia State Trail.

The trail is owned and managed by the Department of Natural Resources (DNR) and encumbered under the Federal Land and Water Conservation Fund (LAWCON) program via grant 55-00774.

# **Project Summary**

DATE:

FROM:

TO:

- Project Description: The project involves remodeling of the interior and exterior of the existing Village ø of Winter train depot along the Tuscobia State Trail. Exterior modifications include a deck and ramp (to provided ADA accessibility) and
- Subject Property: Tuscobia State Trail ø
- Real estate transaction: Project may require PLE/TLE from WDNR to WisDOT. 0

# WDNR finds that this project will benefit the public and includes no permanent above-ground infrastructure that impacts recreational resources. Therefore, this project is cleared relative to LAWCON requirements.

This clearance is contingent on the following considerations:

- The project will enhance trailhead facilities. 0
- The project will be reviewed and site cleared by M. Dudzik, WDNR State Historical Preservation ø Officer, regarding potential impacts to archeological/cultural resources. This review shall be conducted prior to initiation of any ground-disturbing activities.
- Site disturbance will be no more than six (6) months in duration for purposes of utility construction. ø Work on the interior/exterior of the building itself may extend beyond this six-month time period.
- The site will be revegetated as soon as feasible post-construction. ø
- The trail will remain open for the duration of the project, unless otherwise authorized by the DNR ø Property Manager/Trail Coordinator.
- Temporary construction staging may occur on adjacent DNR property, at the discretion of the 0 Property Manager/Trail Coordinator.

If any party makes a significant change to the proposed project, this clearance is no longer valid and further review will be necessary. Please contact me at 608-264-6138 or jennifer.gihring@wisconsin.gov with any questions.




Scott Walker, Governor Cathy Stepp, Secretary Telephone 608-266-2621 Toll Free 1-888-936-7463 TTY Access via relay - 711



August 22, 2017

Ron Petit Friends of the Tuscobia Trail, Inc. Box 24, 5191N Crawford Street, Winter, WI 54896

Subject: State Grant Funds

Dear Mr. Petit:

This letter is in regards to the funds available for the Friends of the Tuscobia Trail (FOTT) for the restoration of the Winter depot. I have enclosed a letter sent on March 10, 2008 by Tim Miller, then the Northern Region Parks Supervisor, indicating to the Department of Transportation that the Department of Natural Resources (DNR) is committed to this project.

This letter serves as notice that the DNR remains fully supportive of the efforts of the FOTT in the restoration of the Winter depot. To this end, the DNR has set aside \$50,000 as match money towards the Multi-modal Transportation Enhancement project grant, as per the March 10, 2008 letter. These DNR funds function as a reimbursement account towards the depot project, whereby the DNR will reimburse the FOTT for expenses towards this project. Additionally, the DNR has recently allocated up to \$25,000 additional funding for this project. These funds are also on a reimbursement basis and are for design purposes only.

Please feel free to contact me if you have any further questions.

Sincerely,

Jeff Pennucci Northwest District Parks Supervisor

Cc: Missy Vanlandyt, DNR Madison, WI Dan Yankowiak, DNR Copper Falls State Park





**APPENDIX E** 

HAZARDOUS MATERIALS ASSESSMENT SITE SUMMARY PHASE 1 CHECKLIST

#### WisDOT Phase 1 Hazardous Materials Assessment Site Summary (rev. 10/7/2005)

WisDOT Project ID: 8461-00-00 Highway/Street: Winter Depot Trailhead Improvements 2012 Termini/Limits: CNW Railroad Depot Welcome Center County: Sawyer

#### **Property Information:**

Site Name(s): Amoco/Ackley Oil (former) DOT parcel number (if known): NA Property Address: W State Rd 70, Winter Owner's Name: Sawyer County Owner's Address: 10610 Main in Hayward, Wisconsin 54843 Owner's Phone: Current Land Use: undeveloped Past Land Use: Bulk petroleum storage facility

#### **Real Estate Requirements:**

None Total take Strip acquisition of	feet
Temporary Limited Easement (TLE)	
Permanent Limited Easement (PLE)	

Other (describe)

#### **Construction Requirements:**

Excavation within current right of way to 1 to 10.5 feet

Excavation within proposed right of way to feet

Excavation within easement to feet

Public or private utility or sanitary or storm sewer installation or excavation to feet

#### Information from database searches and interviews:

Department of Safety & Professional Service (DSPS)

Site has registered tanks ⊠ASTs □USTs

tanks are currently in use

X tanks are abandoned date: not known (est. >1984 - <1994) Tank contents:

⊠ Leaded gasoline ⊠ Unleaded gasoline ⊠ Fuel Oil □ Diesel

Kerosene Unknown Other (describe)

site is a DCOMM administered LUST site; DCOMM ID number:

site is a closed DCOMM LUST site; closure date:

Department of Natural Resources (DNR)

site is a DNR administered LUST site; BRRTS number:

is a DNR administered ERP site; BRRTS number: 02-58-000138 ⊠

site is a closed LUST ERP site; closure date:

🗌 site is a landfill

site is an abandoned waste disposal site

site is a hazardous waste generator

Other (please describe) General Property (07-58-548394) – Site Assessment Grant (SAG) Sanborn Maps: site is a on map dated . Comments: no coverage

WisDOT historic plan sets: site is a on project dated . Comments: not available Business directories: site is a in the directory dated . Comments:

A check in a checkbox indicates a positive or "yes" response.



Aerial photos: site is a bulk storage facility on photos dated 1939, 1977, 1984, abandoned on 1994, and undeveloped on photos dated 2005 and 2010. Comments:

Contamination discovered at feet during utility or other excavation in the area. Indicate location on site map.

Interview Information or other comments: WDNR case files indicate contamination is soil only and does not extend off the property.

Visual Evidence of Potential Contamination: (include additional information in space provided)

No evidence of tanks

- USTs ASTs Location, number and condition of tanks, contents, comments:
  - Location in relationship to current right of way:

Location in relationship to proposed right of way:

5.5

Drums Stained soils Odor Sheen on surface water Areas of excavation

Areas of fill Stressed vegetation Pond(s) Basins/sumps Monitoring wells Soil borings

Comments: drums are believed to be drilling spoils from SAG Phs II work; groundwater is not impacted.

## Potential for Contaminant Migration: (attach supporting documentation such as plume maps, summaries of site investigation or closure reports)

summaries of site investigation or closure reports).

Property is a potential source of contamination

Adjacent property is a potential source of contamination. Include site name or BRRTS number if known, describe location, include contaminant type and any additional information.

Contaminated soil known to be within proposed right of way from feet to feet below ground surface

Contaminated groundwater known to be within proposed right of way at feet below ground surface.

Contaminated soil or groundwater within existing right of way. Attach copy of most recent investigation and plume maps.

### Attachments - required

Site photographs and a site map showing areas of concern

Plat map showing parcel and any proposed areas of acquisition or easement

Historic aerial photos of site - clearly outline site

Historic WisDOT or other as-builts and plat maps - clearly outline site

Plume maps for known contamination. Indicate existing or proposed right of way where applicable.

### Recommendations

No additional hazardous materials investigation is required.

If construction or real estate requirements change, evaluation of need for further investigation will be necessary.

Information is sufficient to use Standard Special Provisions. Copy of completed Standard Special Provision is attached (STSP 107-100 Notice to Contractor – Contamination Beyond Construction Limits requested by KJohnson; available information indicates known extent of soil and groundwater contamination does not extend to proposed project).

Conduct additional investigation

- Phase 2 (determine if contamination is present)
- Phase 2.5 (determine extent of contamination within existing R/W only)
- Phase 3 (determine full extent of contamination prior to acquisition)
- Phase 4 (remediate site)
- Other (describe)

Prepared by: Matt Taylor – Cedar Corporation on 09/19/2012 Recommendations accepted by (name and title):

made Signature: A check in a checkbox indicates a positive or "yes" response. 4 TUSCOBIA. PRES

NOV 27, 2012

#### WisDOT Phase 1 Hazardous Materials Assessment Site Summary (rev. 10/7/2005)

WisDOT Project ID: 8461-00-00 Highway/Street: Winter Depot Trailhead Improvements 2012 Termini/Limits: CNW Railroad Depot Welcome Center County: Sawyer

#### **Property Information:**

Site Name(s): Denenny's Service Station DOT parcel number (if known): NA Property Address: 6579 W State Rd 70, Winter Owner's Name: Al Denenny Owner's Address: 6579 W State Rd 70, Winter 54896 Owner's Phone: Current Land Use: Service garage Past Land Use: Gasoline station/service garage

#### Real Estate Requirements:

 None
 Total take
 Strip acquisition of
 feet

 Temporary Limited Easement (TLE)
 Permanent Limited Easement (PLE)

 Other (describe)
 Other (describe)

#### **Construction Requirements:**

Excavation within current right of way to 7.5 feet

Excavation within proposed right of way to feet

Excavation within easement to feet

Public or private utility or sanitary or storm sewer installation or excavation to

#### feet

#### Information from database searches and interviews:

Department of Safety & Professional Services (DSPS)

ite has registered tanks □ASTs IUSTs

tanks are currently in use

X tanks are abandoned dates: 1984, 1993, 1999, 2011

Tank contents:

Leaded gasoline 🛛 Unleaded gasoline 🖾 Fuel Oil 🖾 Diesel

🗌 Kerosene 🔲 Unknown 🛛 Other (describe) waste/used motor oil

site is a DCOMM administered LUST site; DCOMM ID number:

site is a closed DCOMM LUST site; closure date:

Department of Natural Resources (DNR)

site is a DNR administered LUST site; BRRTS number:

site is a DNR administered ERP site; BRRTS number:

is a closed ⊠LUST □ERP site; closure date: 07/02/2004

🔄 site is a landfill

site is an abandoned waste disposal site

site is a hazardous waste generator

Other (please describe)

Sanborn Maps: site is a on map dated . Comments: no coverage

WisDOT historic plan sets: site is a	on project	dated	. Comments: not available
Business directories: site is a	in the directory dated	. C	omments:

A check in a checkbox indicates a positive or "yes" response.

Aerial photos: site is a service garage and/or gas station on photos dated 1977, 1984, 1994, 2005 and 2010. Comments:

Contamination discovered at feet during utility or other excavation in the area. Indicate location on site map.

Interview Information or other comments:

## Visual Evidence of Potential Contamination: (include additional information in space provided)

No evidence of tanks

USTs ASTs Location, number and condition of tanks, contents, comments: Location in relationship to current right of way: map attached

Location in relationship to proposed right of way: map attached

Drums Stained soils Odor Sheen on surface water Areas of excavation

Areas of fill Stressed vegetation Pond(s) Basins/sumps Monitoring wells Soll borings

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Potential for Contaminant Migration: (attach supporting documentation such as plume maps, summaries of site investigation or closure reports).

Property is a potential source of contamination

Adjacent property is a potential source of contamination. Include site name or BRRTS number if known, describe location, include contaminant type and any additional information.

Contaminated soll known to be within proposed right of way from feet to feet below ground surface

Contaminated groundwater known to be within proposed right of way at feet below around surface.

Contaminated soil or groundwater within existing right of way. Attach copy of most recent investigation and plume maps.

#### Attachments - required

Site photographs and a site map showing areas of concern

Plat map showing parcel and any proposed areas of acquisition or easement

Historic aerial photos of site - clearly outline site

Historic WisDOT or other as-builts and plat maps - clearly outline site

Plume maps for known contamination. Indicate existing or proposed right of way where applicable.

#### Recommendations

No additional hazardous materials investigation is required.

If construction or real estate requirements change, evaluation of need for further investigation will be necessary.

Information is sufficient to use Standard Special Provisions. Copy of completed Standard Special Provision is attached (STSP 107-100 Notice to Contractor - Contamination Beyond Construction Limits requested by KJohnson; available information indicates known extent of soil and groundwater contamination does not extend to proposed project).

Conduct additional investigation

Phase 2 (determine if contamination is present)

Phase 2.5 (determine extent of contamination within existing R/W only)

Phase 3 (determine full extent of contamination prior to acquisition)

- Phase 4 (remediate site)
- Other (describe)

Prepared by: Matt Taylor - Cedar Corporation on 09/19/2012

Recommendations accepted by (name and title):

NOV27,2012 Tascobia TR. mald Signature: A check in a checkbox indicates a positive or "yes" response.

PRES

on

APPENDIX F

U.S. FISH & WILDLIFE SERVICE CORRESPONDENCE



From:	<u>Adrihan, Amy - DOT</u>
To:	<u>"Andrew Horton@fws.gov"</u>
Cc:	Johnson, Ross - DOT
Subject:	Request to Initiate Informal Section 7 Consultation - May affect, not likely to adversely affect NLEB; Project ID 8461-00-00(70) Village of Winter, Railroad Ave, CNW RR Depot Welcome Center, Sawyer County
Date:	Wednesday, July 25, 2018 7:32:18 AM
Attachments:	8461-00-00 NLEB Effect Determination.pdf
	8461-00-00 location map.pdf
	8461-00-00 streamlined FWS.PDF

Andrew,

WisDOT is submitting the following information and determination to fulfil Section 7(a)(2) responsibilities under the ESA pertaining to potential impacts to the <u>Canady lynx</u>, and <u>Gray</u> wolf in addition to the Northern long-eared bat.

In accordance with the final 4(d) rule issued for the northern long-eared bat, WisDOT has determined that the proposed activity, described in greater detail below, will not result in prohibited take of the NLEB. The activity involves tree removal, but will not occur within 0.25 miles of a known hibernacula, nor will the activity remove a known maternity roost tree or any other tree within 150 feet of a known maternity roost tree from June 1 to July 31.

In accordance with the streamlined consultation framework, WisDOT intends to rely on the programmatic biological opinion developed for the final 4(d) rule and this submittal to satisfy our Section 7(a)(2) responsibilities.

If you have questions, please contact me.

Thanks

Amy

#### Amy Adrihan

**Environmental Coordinator** 

Office: (715) 392-7972 Mobile: (715) 817-0407

E-mail: <u>amy.adrihan@dot.wi.gov</u> Wisconsin Department of Transportation

1701 N 4<sup>th</sup> Street

Superior, WI 54880





July 25, 2018

Project	IPaC Consultation Code:
8461-00-00(70)	03E17000-2018-SLI-1121

Effect Determination for Federally Listed Species

WDNR reviewed their Natural Heritage Inventory database on June 19, 2018. In that review, WDNR determined that there are no known NLEB maternity roost trees or known hibernacula within ¼ of the proposed project.

Effect determination for other federally listed species identified in the Official Species List:

		Effect Determination	
Species Common Name	Species Scientific Name		Justification
Canada Lynx	Lynx canadensis	No effect	No tree clearing to occur within project.
Gray Wolf	Canis lupis	No effect	No tree clearing to occur within project.
Northern long-eared Bat	Myotis septentrionalis	May Affect, Not Likely to Adversely Affect	See notes above.



#### Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern longeared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service's (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

Information to Determine 4(d) Rule Compliance:	YES	NO
1. Does the project occur wholly outside of the WNS Zone <sup>1</sup> ?		$\square$
2. Have you contacted the appropriate $agency^2$ to determine if your project is near	$\boxtimes$	
known hibernacula or maternity roost trees?		
3. Could the project disturb hibernating NLEBs in a known hibernaculum?		$\boxtimes$
4. Could the project alter the entrance or interior environment of a known		
hibernaculum?		
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at		
any time of year?	й.	
6. Would the project cut or destroy known occupied maternity roost trees, or any		$\boxtimes$
other trees within a 150-foot radius from the maternity roost tree from June 1		
through July 31.		

You are eligible to use this form if you have answered yes to question #1 <u>or</u> yes to question #2 <u>and</u> no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

**Agency and Applicant**<sup>3</sup> (Name, Email, Phone No.): Lead Agency: FHWA Requesting Agency: Wisconsin DOT

Project Name: 8461-00-00, Village of Winter, Railroad Avenue, CNW Railroad Depot

**Project Location** (include coordinates if known): Village of Winter, Sawyer County, Wisconsin 45°49'21.27"N 91°00'45.05"W

**Basic Project Description** (provide narrative below or attach additional information):

The scope of work consists of interior and exterior renovation of the existing wood framed depot structure.

Planned improvements include lowering a section of the interior wood floor, installing new doors and windows, new restrooms, and a new exterior deck and ramp. Minimal site work to bring utilities to the building and provide American with Disabilities Act (ADA) access is included. A walkway will be constructed to connect the building to the Tuscobia Trail. New interior plumbing, HVAC and electrical will also be included in the project.

<sup>&</sup>lt;sup>1</sup> http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf

<sup>&</sup>lt;sup>2</sup> See http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html

<sup>&</sup>lt;sup>3</sup> If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

General Project Information	YES	NO
Does the project occur within 0.25 miles of a known hibernaculum?		$\boxtimes$
Does the project occur within 150 feet of a known maternity roost tree?		$\boxtimes$
Does the project include forest conversion <sup>4</sup> ? (if yes, report acreage below)		$\boxtimes$
Estimated total acres of forest conversion		
If known, estimated acres <sup>5</sup> of forest conversion from April 1 to October 31		
If known, estimated acres of forest conversion from June 1 to July 31 <sup>6</sup>		
Does the project include timber harvest? (if yes, report acreage below)		$\boxtimes$
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)		$\boxtimes$
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)		$\boxtimes$
Estimated wind capacity (MW)		

#### Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Date Submitted: 7/16/18Signature: Ross Johnson, P.E. Project Development Project Manager

Northwest Region

<sup>&</sup>lt;sup>4</sup> Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

<sup>&</sup>lt;sup>5</sup> If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

<sup>&</sup>lt;sup>6</sup> If the activity includes tree clearing in June and July, also include those acreage in April to October.





### United States Department of the Interior

FISH AND WILDLIFE SERVICE Green Bay Ecological Services Field Office 2661 Scott Tower Drive New Franken, WI 54229-9565 Phone: (920) 866-1717 Fax: (920) 866-1710



In Reply Refer To: Consultation Code: 03E17000-2018-SLI-1121 Event Code: 03E17000-2018-E-02575 Project Name: Village of Winter CNW Railroad Depot (WisDOT ID 8461-00-00)

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project "may affect" listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <u>http://ecos.fws.gov/ipac/</u> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - <u>http://www.fws.gov/midwest/endangered/section7/</u><u>s7process/index.html</u>. This website contains step-by-step instructions which will help you determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

June 20, 2018

DRÅFT

For all wind energy projects and projects that include installing towers that use guy wires or are over 200 feet in height (*e.g.*, communication towers), please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/currentBirdIssues/Hazards/towers/currentBirdIssues/Hazards/tower

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*) and Migratory Bird Treaty Act (16 U.S.C. 703 *et seq*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <u>http://www.fws.gov/midwest/</u><u>midwestbird/EaglePermits/index.html</u> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

Official Species List

## **Official Species List**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

#### **Green Bay Ecological Services Field Office**

.

2661 Scott Tower Drive New Franken, WI 54229-9565 (920) 866-1717

### **Project Summary**

Consultation Code: 03E17000-2018-SLI-1121

Event Code: 03E17000-2018-E-02575

**Project Name:** Village of Winter CNW Railroad Depot (WisDOT ID 8461-00-00)

\*\* OTHER \*\* **Project Type:** 

Project Description: Interior and exterior renovation of the circa 1905 Chicago & Northwestern (CNW) railroad depot building located in the Village of Winter in Sawyer County, Wisconsin. The renovation is planned for 2018 - 2019.

> The scope of work consists of interior and exterior renovation of the existing wood framed depot structure.

Planned improvements include lowering a section of the interior wood floor, installing new doors and windows, new restrooms, and a new exterior deck and ramp. Minimal site work to bring utilities to the building and provide American with Disabilities Act (ADA) access is included. A walkway will be constructed to connect the building to the Tuscobia Trail. New interior plumbing, HVAC and electrical will also be included in the project. Architectural features will be restored to the depot's historical era of active operation.

#### **Project Location:**

Approximate location of the project can be viewed in Google Maps: https:// www.google.com/maps/place/45.82259016633216N91.01254845629731W



Counties: Sawyer, WI

### **Endangered Species Act Species**

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### Mammals

NAME	STATUS
Canada Lynx Lynx canadensis	Threatened
Population: Wherever Found in Contiguous U.S.	
There is final critical habitat for this species. Your location is outside the critical habitat.	
Species profile: https://ecos.fws.gov/ecp/species/3652	
Gray Wolf Canis lupus	Endangered
Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA,	e
MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA	•
VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico.	
There is final critical habitat for this species. The location of the critical habitat is not available.	
Species profile: https://ecos.fws.gov/ecp/species/4488	
Northern Long-eared Bat <i>Myotis septentrionalis</i>	Threatened
No critical habitat has been designated for this species.	
Species profile: https://ecos.fws.gov/ecp/species/9045	

### **Critical habitats**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

From:Bump, Cameron M - DNRTo:Johnson, Ross - DOTSubject:Winter Depot, Threatened/Endangered Resources ReviewDate:Tuesday, June 19, 2018 3:17:00 PMAttachments:NHI Winter Depot.pdf

Hi Ross, I conducted an NHI search for the Winter Depot project. There are no listed species that would be affected by this project.

The only species listed is the bald eagle, and since the project is a building restoration in the Village of Winter, there would be no impacts. I've attached the NHI document.

#### We are committed to service excellence.

Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Cameron Bump Park & Recreation Specialist – Bureau of Parks & Recreation Management Wisconsin Department of Natural Resources Phone: (715) 839-2786 Cell Phone: 715-514-8235 Cameron.Bump@Wisconsin.gov



### Endangered Resources Review for the Proposed Winter Depot, Sawyer County

#### Winter Depot

Reviewer Information		
Reviewer Name	Cameron Bump	
Review Date	2018-6-19	
Bureau / Org Name	Parks & Recreation	
Work Station	Eau Claire	

#### General Information

Project Title	Winter Depot	
Project No	and the second sec	
Federal Nexus	Yes	202
Project Timing	Summer/Fall 2018	
Property Type	Public	



Project Location	DRAFT	
County	Sawyer	
PLSS Description	T39N R05W S32	
Township Name		
Ownership Type	Public	
Landowner Name		
Project Information		
Description	Restoration of the Winter Depot on the Tuscobia State Trail property in the Village of Winter.	
Habitat Description	Residential, business area with grassy areas and shrub dominated trail corridor.	
Impacts to Wetlands and Waterbodies	none	
Additional DNR and Other Permits	none	

#### Element Occurrences

Actions that need to be taken to comply with state and/or federal endangered species laws: None

Actions recommended to help conserve Wisconsin's Endangered Resources: None

No actions are required or recommended for the following endangered resources:

#### • Bald Eagle (Haliaeetus leucocephalus) - Bird~

#### State Status: Federal Status: EAG

Impact Type	No impact or no/low broad ITP/A
Reason	Lack of Suitable Habitat within Project Boundary
Justification	project is in the Village, restoration of the building

#### **Disclaimer**

This ER Review may contain Natural Heritage Inventory data (http://dnr.wi.gov/topic/NHI), 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 ER Review 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.



**APPENDIX G** 

NATIVE AMERICAN CORRESPONDENCE



Division of Transportation System Development Northwest Region – Eau Claire Office 718 W Clairemont Ave. Eau Claire, WI 54701-5108

Telephone: 715-836-2891 Facsimile (FAX): 715-836-2807 Email: <u>nwr.dtsd@dot.wi.gov</u>

January 3, 2013

«FirstName» «Company» «Last\_Name» «Address1» «Address2» «CityState» «PostalCode»

Re: Notification and request for comments concerning Historic Properties

Project ID 8461-00-00 Village of Winter, Railroad Avenue (CNW RR Depot Welcome Center) Non Highway Sawyer County

Dear «Salutation»:

Sawyer County and the Wisconsin Department of Transportation (WisDOT), on behalf of the Federal Highway Administration, are in the process of developing plans for a proposed project located along the Tuscobia Trail south west of the intersection of STH 70 and CTH W (Main Street) in the Village of Winter, Sawyer County, WI. The project, which is being designed by Structural Integrity, Inc., will consist of refurbishing the Winter Railroad Depot into a multi-use Central Hub Trailhead to accommodate travelers and outdoor enthusiasts of varying motivations. The project will also be relocating approximately 350 LF of the Tuscobia Trail to accommodate the Depot building and vehicular parking at the trailhead.

On December 2<sup>nd</sup>, 2011, a public information meeting was held to familiarize interested parties with the project. In the near future, cultural resource investigation studies will be conducted for the above project. These investigations will enable WisDOT to determine whether historical properties as defined in 36 CFR 800 are located in the project area. Other environmental studies will also be conducted and may include; wetland identification, endangered species survey, contaminated material investigations, soil testing, and right-of-way surveys. Information obtained from these studies will assist the engineers in the design to avoid, minimize or mitigate the proposed project's effect upon cultural and natural resources.

WisDOT would be pleased to receive any comments or information you wish to share pertaining to cultural resources located in the project area. Please let us know if your tribe wishes to become a consulting party under Section 106 of the National Historic Preservation Act or would like to receive any additional information regarding this proposed project. Please contact Ross Johnson, Local Program Project Manager, WisDOT NW Region Project Development Section; 718 West Clairemont Avenue; Eau Claire, Wisconsin, 54701-5108 (715) 836-2069 or James Becker; Environmental Services; 4802 Sheboygan Avenue; Room 451; Madison, Wisconsin 53707 (608) 261-0137.

Sincerely,

Ross Johnson

Ross Johnson, P.E. Northwest Region Local Program Project Manager

cc: James Becker, Environmental Services
 Amy Adrihan, NW Region Environmental Coordinator
 Brent Pickard, NW Region Tribal Liaison
 Kjohnson Engineers, Northwest Region Local Program Management Consultant
 Kurt Strauss, P.E., Structural Integrity, Inc
 Sean P. Bohan, P.E., Advanced Engineering Concepts, LLC

Attachments: Project Location Map



C-2

<u>Vicinity Map</u> Winter Depot – Tuscobia Trail 5170 Block of Main Street, Winter, WI

.



Bad River Band of Lake Superior Chippewa Indians of Wisconsin Attn: Edith Leoso, THPO P.O. Box 39 Odanah, WI 54861

Forest County Potawatomi Community of Wisconsin Attn: Mike Alloway Tribal Office P.O. Box 340 Crandon, WI 54520

Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin Attn: Jerry Smith, THPO Tribal Office 13394 West Trepania Road Hayward, WI 54843

Lac du Flambeau Band of Lake Superior Chippewa Indians of Wisconsin Attn: Melinda Young, THPO Tribal Historic Preservation Office P.O. Box 67 Lac du Flambeau, WI 54538

Menominee Indian Tribe of Wisconsin Attn: Dave Grignon, THPO P.O. Box 910 Keshena, WI 54135

Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin Attn: Larry Balber, THPO Red Cliff Band of Lake Superior Chippewa Indians 88385 Pike Road, Highway 13 Bayfield, WI 54814

St. Croix Band Chippewa Indians of Wisconsin Attn: Wanda McFaggen Tribal Historic Preservation Office 24663 Angeline Avenue Webster, WI 54893-9246 Sokaogon Chippewa Community Mole Lake Band Attn: Cultural Resource Director 3051 Sand Lake Road Crandon, WI 54520

Sac and Fox Nation of Oklahoma Attn: Sandra Massey, NAGPRA Rep. RR 2, Box 246 Stroud, OK 74079

Sac and Fox Nation of Missouri in Kansas and Nebraska Attn: Jane Nioce 305 North Main Reserve, KS 66434

Sac and Fox of the Mississippi in Iowa Attn: Jonathan Buffalo, NAGPRA Rep. 349 Meskwaki Road Tama, IA 52339-9629

Prairie Band Potawatomi Nation Attn: Chairman Steve Ortiz, NHPA Rep. 16281 Q Road Mayetta, KS 66509

Lac Vieux Desert Band of Lake Superior Chippewa Indians Attn: giiwegiizhigookway Martin, THPO Ketegitigaaning Ojibwe Nation P.O. Box 249 Watersmeet, MI 49969



### LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS TRIBAL HISTORIC PRESERVATION

 Division of Historic Preservation Ross Johnson, PE Local Program Project Manager Wisconsin Department of Transportation Northwest Region – Eau Claire 718 W. Clairemont Ave, Eau Claire, WI 54701 February 5, 2013

#### SUBJECT: Project ID: 8461-00-00; Village of Winter, Railroad Avenue; (CNW RR Depot Welcome Center); Non Highway; Sawyer County, WI

Dear Mr. Johnson:

In response to your letter dated **January 3, 2013**, the Lac du Flambeau Band of Lake Superior Chippewa Indians would like to express concerns with any impacts to historic and cultural properties located within the project area of potential effect for the project mentioned above. This project is located within areas that have previously been occupied by the Northern Ojibwe Bands.

Please forward all results of an archival review and archaeological reports. Should there be an impact or effect to historic properties as a result of this project, we will request consultation pursuant to Section 106 of the National Historic Preservation Act, as amended,

However, if a review has not yet been completed, the Lac du Flambeau Tribal Historic Preservation Office is available to assist in the identification of cultural resources, or an archaeological/historical assessment or archival review for a fee.

Please contact us if you have any questions or concerns at (715) 588-2139. You may send the results of the archival review and archaeological report to:

Tribal Historic Preservation Office P.O. Box 67 Lac du Flambeau, WI 54538

Or in digital format to: ldfthpo@ldftribe.com Thank you.

Sincerely,

Sarah E. Schuman Melinda J. Young

Tribal Historic Preservation Officer

#### RO. Box 67 Lac du Flambeau, WI 54538

Phone: 715 588-2139 or 588-2270 Fax: 715 588-2419 E-Mail: ldfthpo@nnex.net

It is the mission of the Lac du Flambeau Cultural Committee and the Lac du Flambeau Tribal Historic Preservation Office to promote, educate, enhance, identify, encourage, and preserve cultural and traditional activities, materials, and areas for the benefit of future generations. We shall also defend all ancestral burials and traditional cultural properties from disinterment or desecration,



**APPENDIX H** 

**FACTOR SHEET C-7** 

#### THREATENED, ENDANGERED and PROTECTED RESOURCES EVALUATION



mile of the project.

			Factor Sneet	C-7		
Alte	rnative		Preferred		Project ID:	
Res	Restoration		🛛 Yes 🗌 No 🗌 None Identified		8461-00-00	
Federa	al Resources					
1. Complete the following table using the Official Species List from U.S. Fish and Wildlife Service (FWS).				fe Service (FWS).		
	Date of Official Specie	es List: June 20, 20	18			
	·					
	Document all species	identified on Officia	al Species List, ind	cluding proposed speci	es.	
	Species	Species	Federal	Effect	Justification/	
	Common Name	Scientific Name	Status	Determination	Explanation	
	Canada Lynx	Lynx canadensis	Threatened	No effect	No tree clearing to occur within project.	
	Gray Wolf	Canis lupus	Endangered	No effect	No tree clearing to occur within project.	
	Northern Long- eared Bat	Myotis septentrionalis	Threatened	May Affect, Not Likely to Adversely	No known maternity roost trees or known hibernacula within 1/4-	

Affect

- 2. Is there designated or proposed critical habitat in the vicinity of the project?
  - 🛛 No

Yes – Describe critical habitat, proximity to project, and potential impacts to the critical habitat.

- 3. Has Section 7 consultation with FWS been completed?
  - No Explain:

Yes – Describe consultation efforts and conclusions:

Section 7 consultation was completed through informal consultation using the 4(d) Rule streamlined consultation process for the Northern Long-eared Bat.

- Are avoidance, minimization or compensatory mitigation measures required? 4.
  - 🖂 No

Yes - Describe. Include commitments on Basic Sheet 8, Environmental Commitments.

#### **State Resources**

- 1. Are threatened or endangered species known to occur in the vicinity of the project?
  - None identified.

 $\boxtimes$  Yes – Complete the following table and include the date of the most recent NHI review by WDNR.

Date of Natural Heritage Inventory (NHI) database review: June 19, 2018

		Species Common Name	Species Scientific Name	State Status	Effect Determination	Justification/AFT	
		Bald Eagle	Haliaeetus leucocephalus	Endangered	No effect	Lack of suitable habitat within the project boundary.	
			•				
	I						
2.	2. Has threatened and endangered resource coordination with WDNR been completed?						
	<ul> <li>No – Explain:</li> <li>Yes – Attach and reference location in this document:</li> </ul>						
	The	was consult		n 8/8/18, and it was	deternined that this	Cones in Wisconsin. The NHI Portal s project does not intersect with a .	
3.	Are	avoidance, minimiza	ation or compensate	ory mitigation meas	ures required?		
		No Yes – Describe. Inc	lude commitments o	on Basic Sheet 8. E	nvironmental Comm	nitments.	
				·····,			
Otl	ner P	rotected Resource	es				
Bal	d and	d Golden Eagles					
1.	Are	bald and/or golden	eagles known to occ	cur in the vicinity of	the project?		
	<ul> <li>□ None identified.</li> <li>☑ Yes</li> </ul>						
	No i	mpact. Lack of suit	able habitat within th	ne project boundary	Ι.		
2.	Will	there be adverse or	beneficial effects o	n bald and/or golde	n eagles as a result	t of the project?	
	<ul> <li>No – Explain:</li> <li>Yes – Describe general proximity to project and potential impacts:</li> </ul>						
		gon		,	1		
3.	Has	bald and golden ea	gle-related coordina	ation with WDNR ar	nd/or FWS been con	npleted?	
		No – Explain:	eference location in t	his documents			
	M	Tes – Allach and re	elence location in 1	ms document:			
4.	Are	avoidance, minimiza	ation or compensate	ory mitigation meas	ures required?		
-	$\bowtie$	No					
		Yes – Describe. Inc	lude commitments o	on Basic Sheet 8, E	nvironmental Comm	nitments.	
<u>Miç</u>	Migratory Birds Page 2 of 3						

<ul> <li>☑ None identified.</li> <li>☐ Yes</li> </ul>	
<ul> <li>Will there be adverse or beneficial effects on migratory birds as a result of the project?</li> <li>No – Explain: None identified.</li> <li>Yes – Describe general proximity to project and potential impacts:</li> </ul>	
<ul> <li>Has migratory bird-related coordination with WDNR and/or FWS been completed?</li> <li>No – Explain:</li> <li>Yes – Attach and reference location in this document:</li> </ul>	
<ul> <li>Are avoidance, minimization or compensatory mitigation measures required?</li> <li>No</li> <li>Yes – Describe. Include commitments on Basic Sheet 8, Environmental Commitments.</li> </ul>	



**APPENDIX I** 

**FACTOR SHEET B-8** 

## SECTION 4(f) AND 6(f) OR OTHER UNIQUE AREAS

Wisconsin Department of Tansportation

#### Factor Sheet B-8

Alternative	Total Length of Center Line of Existing Roadway 0.00			
Restoration Preferred	Length of This Alternative 0.00			
Yes No None identified				
1. Property Name: Winter Depot				
2. Location: Village of Winter				
3. Ownership or Administration: Wiscon	nsin Department of Natural Resources			
<ul> <li>4. Type of Resource:</li> <li>Public Park.</li> <li>Recreational lands.</li> <li>Ice Age National Scenic Trail.</li> <li>NRCS Wetland Reserve Program</li> <li>Wildlife Refuge.</li> <li>Waterfowl Refuge.</li> <li>Historic/Archaeological Site eligit</li> <li>Other – Identify:</li> </ul>	m. ble for the National Register of Historic Places (NRHP).			
<ul> <li>No - Check all that apply:</li> <li>Project is not federally funded.</li> <li>No land will be acquired in fee of</li> <li>Property is not on or eligible for</li> <li>Property is on or eligible for</li> <li>Interstate Highway System Exe</li> <li>Other - Explain: <u>The project action</u></li> </ul>	the NRHP however includes a <i>de minimus</i> effect finding.			
<ul> <li>Historic Bridge.</li> <li>Park minor involvement.</li> <li>Historic site minor involv</li> <li>Independent bikeway or</li> <li>Great River Road.</li> </ul>	/ement. walkway. (f) Property. Explain:			
6. Was special funding used to acquire	the land or to make improvements on the property?			
<ul> <li>No - Special funding was not used for Xes:</li> <li>S.6(f) LWCF (Formerly LAWCON</li> <li>Dingell-Johnson (D/J funds).</li> <li>Pittman-Robertson (P/R funds).</li> <li>Other – Describe:</li> </ul>				
7. Describe the significance of the prop	perty:			
Project ID# 8461-00-00	Page 1 of 2			

8.	<ul> <li>Describe the proposed alternative's effects on this property:</li> <li>a. Describe any effects on or uses of land from the property. For other areas, include or attach sta officials having jurisdiction over the property which discusses the alternative's effects on the property sketch, plan, or other graphic which clearly illustrates use of the property and the project's on the property <u>must be included</u>.)</li> </ul>	perty: (A map,
	<ul> <li>b. Discuss the following alternatives and describe whether they are feasible and prudent and why:</li> <li>1. Do nothing alternative.</li> </ul>	
	2. Improvement without using the 4(f) lands.	
	3. Alternatives on new location.	
	Indicate which measures will be used to minimize adverse effects, mitigate for unavoidable ad enhance beneficial effects:	verse effects or
	Replacement of lands used with lands of reasonably equivalent usefulness and location, and of a comparable value.	least
	The Small Conversion Policy for Lands Subject to Section 6(f) will be used.	
	<ul> <li>Replacement of facilities impacted by the project including sidewalks, paths, lights, trees, and oth</li> <li>Restoration and landscaping of disturbed areas.</li> </ul>	
	Incorporation of design features and habitat features where necessary to reduce or minimize imp 4(f) property.	acts to the section
	Payment of the fair market value of the land and improvement taken.	
	<ul> <li>Improvements to the remaining 4(f) site equal to the fair market value of the land and improveme</li> <li>Such additional or alternative mitigation measures determined necessary based on consultation we having jurisdiction. The additional or alternative mitigation measures are listed or summarized be</li> </ul>	vith officials
	Property is a historic property or an archeological site. The conditions or mitigation stipulations as summarized below:	e listed or
	Other – Describe:	
10.	Briefly summarize the results of coordination with other agencies that were consulted about the its effects on the property:	e project and
	See Appendix D for Wisconsin DNR written concurrence for Section 4(f) exemption and Section 6(f) r	o impact.
	The proposed project does not result in conversion of 6(f) protected LAWCON lands because it is a	permissible

recreational amenity that enhances the property. The proposed project will not impact any of the uses or amenities provided by the Tuscobia Trail. The project was cleared by WisDNR for 6(f) impacts on May 22, 2018. WisDNR determined that the project will benefit the public and includes no permanent above-ground infrastructure that impacts recreational resources.

**APPENDIX J** 

PROGRAMMATIC ENVIRONMENTAL CHECKLIST

#### PROGRAMMATIC ENVIRONMENTAL CHECK LIST



Wisconsin Department of Transportation DT2261 12/2006

Project ID	County		Funding Source		
8461-00-00	Sawyer		State Only	🖾 Federal	
Project Termini/Location			Estimated Project Cost - In	clude R/W Acquisition	
Village of Winter, R	ailroad Ave., (CNW RR Dep	oot Welcome	\$389,000		
Center)					
Name of Facility to be In	nproved		Facility Classification		
Non-Highway			Non-Highway		
R/W to be Acquired					
0.00 Total Acres	0.00 Fee Simple Acres	0.00 Perma	anent Easement Acres	0.00 Temporary Easement Acres	
Number of Buildings Acquired					
🛛 None	Vacant Buildings	Occ	cupied Buildings		
Name of Individual Completing this Form			Date		
Sean P. Bohan, P.I	Ξ.		12/18/2012		

Based on current knowledge of the proposal, I certify that to the best of my knowledge, the conditions, concerns, and issues reported on this checklist accurately reflect those affecting and affected by the proposal.

Rous for	(Signature)	2-18-12 (Date)
Ross Johnson, P.L.	Sean P. Bohan, P.E. (Name)	
	Floject Manager-Owner	
3/12/15	(Title) Advanced Engineering Concepts, LLC	
	(Organization)	

Description of Proposed Action - Insert project location map and other appropriate exhibits.

The Friends of the Tuscobia Trail (FOTT) in coordination with WI Department of Transportation (WisDOT), WI Department of Natural Resources (WiDNR), Sawyer County, and the Village of Winter are proposing to refurbish the Winter Railroad Depot into a multi-use Central Hub Trailhead to accommodate travelers and outdoor enthusiasts of varying motivations. The proposed project is located southwest of the intersection of STH 70 and Main Street (CTH W) in the Village of Winter. See attached location map.

This project will involve relocating approximately 350 LF of the Tuscobia Trail to accommodate the Depot building and vehicular parking at the trailhead. There will be 19+/- parking stalls with ADA accessible parking, in addition to a load/unload ramp for trail vehicles. Stormwater runoff from the site will be conveyed via grass swales and rain gardens discharging the site in the northeast and southwest corners. There will be a picnic area to the east of the building.

The trail will be 12 feet wide and will not be paved. There will be approximately 0.85 acres disturbed for the proposed improvements. Disturbances include clearing and grubbing, removal of topsoil, installation of sewer and water services, and grading for the trail and parking. Plan sheets are attached.

#### A. Right-of-Way Acquisition

Right-of-Way may be acquired by fee simple purchase, permanent or temporary easement, right of entry, gift or other device

1. Will additional right of way need to be acquired?

No R/W acquired. Proceed to item B

Yes – R/W to be acquired. It is strongly recommended that input be sought from real estate interests to identify issues (if any) and costs.