

CATEGORICAL EXCLUSION CHECK LIST

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

WisDOT Design and Construction IDs 8949-05-02 (design)/ 8949-05-72 (construction)		Federal Project IDs (if available)	Legal Description (Township, Range, Section) T29N-R14W-S32 – Town of Stanton	County Dunn
Project Name Wilson Creek Bridge B-17-0206			Project Termini/ Location Baldwin - Menomonie	
Name of Route or Facility to be Improved USH 12		Facility Classification Major Collector	Improvement Type Bridge Replacement	
Estimated Project Cost in Year of Expenditure \$ (include R/W Cost)			Funding Source(s) (check all that apply) <input checked="" type="checkbox"/> State <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Local	
23 CFR 771.117(c) Project Type Number and Text (28) Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in paragraph (e) of this section.				
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 Total Acres Fee Simple Acres Permanent Easement Acres Temporary Easement Acres				
Number of Buildings Acquired <input checked="" type="checkbox"/> None <input type="checkbox"/> Vacant Buildings <input type="checkbox"/> Occupied Buildings				
Name of Individual/ Firm Preparing this Form Gary W Krug			CE Preparation Date November 30, 2017	Environmental Process Start Date September 16, 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)

Nick Schaff

(Print Name)

2-21-18

(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)

Tyler Rongstad

(Print Name)

2-21-18

(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 23 CFR 771.117(c). Updated copies of the FHWA CE regulations are available on the [US Government Printing Office Website](http://www.fhwa.gov/publications/ce/).

(28) Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in paragraph (e) of this section.

☐ 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 ≤ 1 acre/ mile on average for (c)(26) actions and ≤ 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.

Existing Facility

The proposed action is located on US 12 in Dunn County. The project is located in Section 32, T29 N, R14 W in the Town of Stanton. See **Attachment 1** for project location map. US 12 is an east-west two-lane undivided roadway that is functionally classified as a major collector through the project limits. US 12 serves as an alternate route to I-94 in this location.

Project Purpose

The purpose of the proposed project is to rectify the structural deficiencies of the existing bridge while retaining the existing river crossing for residential and regional traffic.

Project Need:

The need of the proposed project is to address the physical and operational concerns identified on bridge B-17-0009 (USH 12 over Wilson Creek) which was built in 1953. The deck currently has several spalls and full depth failures. Given the T-girder design, the deck acts as the top portion of the girder and is deteriorating quickly. The sufficiency rating is 49.8. The project will eliminate the structural deficiencies and enhance roadway safety while maintaining a river crossing by replacing the existing bridge with a wider structure that meets current design standards.

Description of Proposed Action

The proposed project includes replacing the existing three-span, T-girder bridge with a new 109-foot long, single-span, 45W prestressed concrete girder bridge on sill abutments (A1) and pile encased piers. The bridge will have a 36-foot clear roadway width, 15° skew, a typical 5% cross slope, and single-slope concrete parapets 42SS. The proposed roadway cross-section will consist of two 12-foot HMA pavement travel lanes with 6-foot shoulders (5-foot paved), matching into the existing roadway at the project termini. The proposed bridge width was chosen in order to provide 12-foot lanes and 6-foot shoulders across the bridge for bicyclists in accordance with the Wisconsin Bicycle Facility Design Handbook. Pedestrian accommodations are not being provided based on an absence of need in this rural area.

The 753-foot long project consists of the bridge replacement including 644 feet of approach work (300 feet west and 238 feet east of the existing structure). The proposed horizontal alignment will approximately match the existing alignment. The proposed vertical profile will increase slightly due to structural design requirements. The increased clear width will allow for safer two-way travel of farm implements across the bridge. USH 12 will be closed to traffic during construction. USH 12 will be detoured on IH 94 to STH 128 (detour length of 16.5 miles).

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:

- ☒ (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
- ☒ 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 quality impacts
- ☒ Do not have significant impacts on travel patterns
- ☒ 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:
 No unique or unusual circumstances.

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.

Have already had communication about the project to local agencies, the DNR, and Native American tribes.

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	No special or supplemental commitments required.
Aesthetics	No special or supplemental commitments required.

Wetlands	Wetlands are present near Wilson Creek within the project limits, but will not be impacted by this project. No special or supplemental commitments are required.
Rivers, Streams and Floodplains	<p>Commitments Made</p> <p>Wilson Creek is a Coldwater, Class I trout stream in this area. All instream work that could adversely impact water quality should be undertaken between April 15 and September 15. The existing structure will be removed in accordance with STSP 203-020 "Removing Old Structure Over Waterway with Minimal Debris". Special provisions will require contractors to implement the following measures before and after mobilizing in-water equipment to prevent the spread of Viral Hemorrhagic Septicemia (VHS), Zebra Mussel, and other invasive species. Follow STSP 107-055 "Environmental Protection – Aquatic Exotic Species Control". The WisDOT Construction Supervisor will ensure fulfillment of this commitment.</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	<p>Commitments Made</p> <p>Section 7 coordination was conducted with USFWS. WDNR review of NHI database was completed. All restrictions and mitigation measures required by USFWS and/or WDNR will be followed. WisDOT Construction Supervisor will see that this commitment is fulfilled.</p>
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	<p>Commitments Made</p> <p>A Phase I Hazardous Materials Assessment Site Summary has been completed and there is no reason to suspect contamination in the area of the project. Asbestos containing material has been found on structure (B-17-009). Standardized special provision 203-005 will be included in the plans. The contractor will be responsible for completion of the Notification of Demolition and/or Renovation (DNR form 4500-113) if required. A copy of the inspection report is available from the region office. The WisDOT Construction Supervisor will ensure fulfillment of this commitment.</p>
Storm Water	No special or supplemental commitments required.
Erosion Control	<p>Commitments Made</p> <p>Proper erosion control measures will be used to minimize impacts per Cooperative Agreements between WisDOT and WDNR and Trans 401 of Wisconsin's Administrative Code. An Erosion Control Implementation Plan (ECIP) will be prepared for review by the WDNR prior to construction. Determination of detailed erosion control measures will be determined during final design. The contractor will specify their construction methods in the ECIP and restore disturbed areas as soon as feasible. WisDOT Construction Supervisor will ensure fulfillment of this commitment.</p>

Other Migratory Birds	<p>Commitments Made</p> <p>Based on site review, there is evidence of past migratory bird nesting on the existing structure. To avoid impacts to nesting birds, no structure demolition work will take place between May 1 and August 30. The WisDOT Construction Supervisor will ensure fulfillment of these commitments.</p>
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Attachments

Attachment 1 – Project Location Map

Attachment 2 – DNR Correspondence

Attachment 3 – USFWS Correspondence

Attachment 4 – Native American Correspondence

Attachment 5 – Section 106 Documentation

Attachment 6 – USCG Coordination

DOTView Map



State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

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



September 15, 2015

Gary Krug, P.E.
Wisconsin DOT NW Region
718 W. Clairemont Avenue
Eau Claire, WI 54701

Subject: DNR Initial Project Review
Project I.D. 8949-05-02
Wilson Creek Bridge B-17-0206
USH 12
Baldwin to Menomonie
Dunn County
Section 32, T29N, R14W

Dear Mr. Krug:

The Wisconsin Department of Natural Resources (DNR) has received the information you provided for the proposed above-referenced project on 08/24/2015. According to your proposal, the purpose of this project is to replace the bridge, along with a realignment of 106th Street.

Preliminary information has been reviewed by DNR staff for the project under the DNR/DOT (Wisconsin Department of Transportation) Cooperative Agreement. Initial comments on the project as proposed are included below, and assume that additional information will be provided that addresses all resource concerns identified. In addition to the project specific resource concerns highlighted below, it is DNR's expectation that the full range of DOT roadway standards will be applied throughout the design process.

A. Project-Specific Resource Concerns

Wetlands:

There is potential for wetland impacts to occur as a result of this project. Wetland impacts must be avoided and/or minimized to the greatest extent practicable. Unavoidable wetland losses must be compensated for in accordance with the DNR/DOT Cooperative Agreement and the DOT Wetland Mitigation Banking Technical Guideline. Per the Cooperative Agreement, mitigation banking is the preferred compensation option, however DOT and DNR agree that other practicable and ecologically valuable project specific opportunities may be pursued on a case-by-case basis. DNR requests information regarding the amount and type of unavoidable wetland impacts.

Fisheries/Stream Work:

Wilson Creek is a Coldwater, Class I trout stream. 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 April 15th, and September 15th.

Endangered Resources:

Based upon a review of the Natural Heritage Inventory (NHI) and other DNR records dated 09/15/2015, no Endangered Resources or suitable habitat that could be impacted by this project are known or likely to occur in the project area or its vicinity.

Migratory Birds:

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

Invasive Species and Viral Hemorrhagic Septicemia (VHS):

Adequate precautions should be taken to prevent transporting or introducing invasive species via construction equipment, as provided under chapter NR 40 Wis. Adm. Code. Further information on species classified as Restricted or Prohibited under NR 40 can be found at: <http://dnr.wi.gov/topic/Invasives/classification.html>.

DNR will work with project managers to help identify specific problem areas across the project site and recommend preventive measures. The following Best Management Practices (BMPs) for rights-of-way provide a series of measures that will ensure reasonable precautions are taken throughout the stages of construction: <http://www.wisconsinforestry.org/files/invasiveBMPs/TransportationRoW-BMPs.pdf>.

Any equipment coming into contact with surface waters must be properly cleaned and disinfected to address the spread of invasive species and viruses. Special provisions must require contractors to implement the following measures before and after mobilizing in-water equipment to prevent the spread of VHS, Zebra Mussel, and other invasive species. Contractors should follow *STSP 107-055 Environmental Protection, Aquatic Exotic Species Control*, or protocol found here: http://dnr.wi.gov/topic/fishing/documents/vhs/disinfection_protocols.pdf.

Additional information on invasive species and infested waters can be found at: <http://dnr.wi.gov/lakes/invasives/AISByWaterbody.aspx>

Floodplains:

The project lies within a mapped/zoned floodplain. Floodplain impacts should be assessed and/or quantified and appropriate coordination must be carried out in accordance with the DOT/DNR Cooperative Agreement. Coordination must also occur with the Dunn County Zoning Program.

Burning:

If burning of brush will occur as part of this project, the contractor should be informed that it is illegal to burn materials other than clean wood. It is also illegal to start or maintain fires using oily substances, or other materials prohibited under chapter NR 429, Wis. Adm. Code. All necessary burning permits must be obtained prior to construction, as required under local and state fire protection regulations, in order to comply with NR 429 (Malodorous Emissions & Open Burning) http://docs.legis.wisconsin.gov/code/admin_code/nr/400/429.pdf.

Burning permits are available through the local DNR ranger or fire warden, however other local burning permits may be required.

B. Project Specific Construction Site Considerations

The following issues should be addressed in the Special Provisions, and the contractor will be required to outline their construction methods in the Erosion Control Implementation Plan (ECIP). An adequate ECIP for the project must be developed by the contractor and submitted to this office for review at least 14 days prior to the preconstruction conference. Erosion control and stormwater measures must adhere to the DNR/DOT Cooperative Agreement, Trans 401, and applicable federal laws.

Erosion Control and Storm Water Management:

- Erosion control devices should be specified on the construction plans. All disturbed bank areas should be adequately protected and restored as soon as feasible.
- If erosion mat is used along stream banks, DNR 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, the site must be 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.

Structure Removal/Bridge Demolition:

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

Temporary Structure:

If a temporary structure is required to build the bridge, please provide the DNR with details describing the dimensions of the causeway or temporary bridge, and what materials would be used to construct it. In addition, the DOT must meet the standards of NR 116, Floodplain Management, for the temporary structures.

Asbestos:

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

Navigation Concerns during Construction:

This reach of the Wilson Creek is not used by recreational watercraft. It will not be necessary to place navigational aids during construction.

This project may require a permit from the U.S. Army Corps of Engineers (ACOE). For further details you will need to contact Daniel Munson of the ACOE located in the St. Paul office. All local, state, and federal permits and/or approvals must be obtained prior to commencing construction activities.

The above comments represent the DNR's initial concerns for the proposed project and do not constitute final concurrence. Final concurrence will be granted after further review of refined project plans, and additional consultation if necessary. If any of the concerns or information provided in this letter requires further clarification, please contact this office at 715-839-1609, or email at christopherj.willger@wi.gov.

Sincerely,



Chris Willger
Environmental Analysis & Review Specialist

cc: Nick Schaff, WisDOT
Tara Weiss, WisDOT



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:

January 02, 2018

Consultation Code: 03E17000-2018-SLI-0398

Event Code: 03E17000-2018-E-00928

Project Name: 8949-05-02/72 Wilson Creek Bridge B-17-0206

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 <http://ecos.fws.gov/ipac/> 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 - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. 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.

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/comtow.html>.

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 <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> 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-0398

Event Code: 03E17000-2018-E-00928

Project Name: 8949-05-02/72 Wilson Creek Bridge B-17-0206

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: The bridge replacement project includes removing existing structure B-17-009 and replacing with structure B-17-0206. Reconstructing approximately 500 feet of the approaches and installing beam guard.

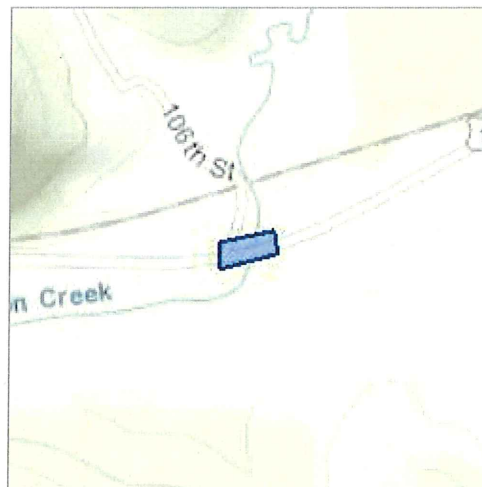
Wetlands are present but will not be impacted by the construction. This project may affect, but is not likely to adversely affect the northern long-eared bat provided applicable avoidance and minimization measures are adhered to.

The project is scheduled for construction in the spring/summer of 2021.

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/44.9517416633348N92.10720546342617W>



Counties: Dunn, WI

Endangered Species Act Species

There is a total of 4 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. 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.

Mammals

NAME	STATUS
Gray Wolf <i>Canis lupus</i> Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, 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	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Clams

NAME	STATUS
Sheepnose Mussel <i>Plethobasus cyphus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6903	Endangered

Insects

NAME	STATUS
Karner Blue Butterfly <i>Lycaeides melissa samuelis</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/6656	Endangered

Critical habitats

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

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 long-eared 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 ¹ ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Have you contacted the appropriate agency ² to determine if your project is near known hibernacula or maternity roost trees?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Could the project disturb hibernating NLEBs in a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Could the project alter the entrance or interior environment of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

You are eligible to use this form if you have answered yes to question #1 **or** yes to question #2 **and** 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 Applicant³

Wisconsin Department of Transportation, Division of Transportation Systems Development

Project Name:

8949-05-02, Baldwin – Menomonie, Wilson Creek Bridge B-17-0206

Project Location (include coordinates if known):

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

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

³ If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

Signature: Tyler J. Rongstad Date Submitted: 11/29/2017

Effect Determination for Federally Listed Species

WisDOT is also submitting the following information and determination to fulfil Section 7(a)(2) responsibilities under the ESA pertaining to potential impacts to the Sheepnose Mussel, Karner Blue Butterfly, and Gray Wolf in addition to the Northern long-eared bat.

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

Species Common Name	Species Scientific Name	Effect Determination	Justification
Sheepnose Mussel	<i>Plethobasus cyphus</i>	No effect	No known habitat in project area per coordination with WDNR
Karner Blue Butterfly	<i>Lycaeides melissa samuelis</i>	No effect	No known habitat in project area per coordination with WDNR
Gray Wolf	<i>Canis lupus</i>	No effect	No known habitat in project area per coordination with WDNR
Northern long-eared bat	<i>Myotis septentrionalis</i>	May affect, not likely to adversely affect	No roost trees or hibernacula in project area per coordination with WDNR

Attachment 4 – Native American Correspondence

Native American Tribes contacted

First	Last	Title	Tribe	Address	City, State Zip
Edith	Leoso	THPO	Bad River Band of Lake Superior <i>Chippewa Indians of Wisconsin</i>	PO Box 39	Odanah, WI 54861
Melissa	Cook	THPO	Forest County Potawatomi Community of Wisconsin	PO Box 340	Crandon, WI 54520
LeRoy	Defoe	THPO	Fond du Lac Band of Lake Superior <i>Chippewa</i>	1720 Big Lake Road	Cloquet, MN 55720
William	Quackenbush	THPO	Ho-Chunk Nation	PO Box 667	Black River Falls, WI 54615
		Cultural Preservation Office	Iowa Tribe of Oklahoma	RR1, Box721	Perkins, OK 74059
Jerry	Smith	THPO	LacCourte Oreilles Band of Lake Superior <i>Chippewa Indians of Wisconsin</i>	13394 W. Trepania Road	Hayward, WI 54843
Melinda	Young	THPO	Lac du Flambeau Band of Lake Superior <i>Chippewa Indians of Wisconsin</i>	PO Box 67	Lac du Flambeau, WI 54538
giiwegiizhigookway	Martin	Ketegitigaaning Ojibwe Nation, THPO	Lac Vieux Desert Band of Lake Superior <i>Chippewa Indians</i>	PO Box	Watersmeet, MI 49969
Dave	Grignon	THPO	Menominee Indian Tribe of Wisconsin	PO Box 910	Keshena, WI 54135
Marc	Mogan	Minnesota Mdewakanton Sioux	Prairie Island Indian Community	5636 Sturgeon Lake Road	Welch, MN 55089
Hattie	Mitchell		Prairie Band Potawatomi Nation	16281 Q Road	Mayetta, KS 66509
Larry	Balber	THPO	Red Cliff Band of Lake Superior <i>Chippewa Indians of Wisconsin</i>	88385 Pike Road, Highway 13	Bayfield, WI 54814
Edmore	Green		Sac and Fox Nation of Missouri in Kansas and Nebraska	305 N. Main	Reserve, Kansas 66434
Sandra	Massey	NAGPRA Rep	Sac and Fox Nation of Oklahoma	RR 2, Box 246	Stroud, OK 74079
Jonathan	Buffalo	NAGPRA Rep	Sac and Fox of the Mississippi in Iowa	349 Meskwaki Road	Tama, Iowa 52339-9629
		Cultural Resource Director	Sokaogon Chippewa Community Mole Lake Band	3051 Sand Lake Road	Crandon, WI 54520
Wanda	McFaggen	THPO	St. Croix Band Chippewa Indians of Wisconsin	34663 Angeline Ave.	Webster, WI 54893-9246

Pursuant to 36 CFR 800.3 (a)(1) WisDOT (Cultural Resources) has determined the proposed actions for these undertakings (projects) will have no potential to cause effects to historic properties. No further section 106 obligations are required. However, if the proposed actions for an undertaking (project) should change in any way that would involve ground disturbing activities, additional section 106 coordination is required for that undertaking (project).

County	Main ID	Notification Date	Project Put on Screening List for	Route	Title	Bridge ID
Dunn	8929-06-00	10/23/2013	Both Archaeology and History	CTH W	890th St - CTH S (Popple Creek Bridge)	B17-0961
Dunn	8932-07-00	06/18/2007	Both Archaeology and History	CTH F	STH 64 - North County Line, Hay River	B17-977
Dunn	8949-01-33	08/08/2012	Both Archaeology and History	USH 12	Menomonie - Eau claire CTH B to IH 94	
Dunn	8949-04-32	02/27/2009	Both Archaeology and History	USH 12	Baldwin (Menomonie CTH Q to CTH K)	183891Y
Dunn	8949-04-32	02/27/2009	Both Archaeology and History	USH 12	Baldwin (Menomonie CTH Q to CTH K)	B1709790
Dunn	8949-05-02	05/29/2014	Both Archaeology and History	USH 12	Wilson Creek Bridge	B-17-0009
Dunn	8949-05-30	08/09/2011	Both Archaeology and History	USH 12	Baldwin-Menomonie CTH K to STH 79	
Eau Claire	0499-20-01	09/25/2008	Both Archaeology and History	Glacier State Distributi	FRIP	
Eau Claire	1020-06-84	04/16/2012	Both Archaeology and History	IH 94	Bridge Deck Sealing	
Eau Claire	1021-03-01	01/09/2015	Both Archaeology and History	IH-94	CTH J Bridge B-18-0052	B-18-0052
Eau Claire	1021-03-02	01/09/2015	Both Archaeology and History	IH-94	CTH D Bridge (EB) B-18-0053	B-18-0053
Eau Claire	1021-03-03	01/09/2015	Both Archaeology and History	IH-94	CTH J Bridge (EB) B-18-0051	B-18-0051
Eau Claire	1022-00-06	10/25/2006	Both Archaeology and History	IH 94	IH 94 Westbound Exit Ramp to STH 37	
Eau Claire	1022-00-08	07/23/2008	Both Archaeology and History	IH 94	Eau Claire - Osseo USH 53 South Boun	b180036
Eau Claire	1022-00-08	07/23/2008	Both Archaeology and History	IH 94	Eau Claire - Osseo USH 53 South Boun	B18-0035
Eau Claire	1022-00-10	11/18/2011	Both Archaeology and History	IH 94	Eau claire - Osseo USH 53	b1800350
Eau Claire	1022-00-10	11/18/2011	Both Archaeology and History	IH 94	Eau claire - Osseo USH 53	b1800360
Eau Claire	1022-00-36	02/02/2011	Both Archaeology and History	IH 94	Eau Claire - Osseo USH 53 Interchange	
Eau Claire	1022-01-03	07/23/2008	Both Archaeology and History	IH 94	Eau Claire - Osseo Rd USH 53 North Bo	B18-0036
Eau Claire	1022-04-34	12/17/2009	Both Archaeology and History	IH 94	Menomonie-Eau Claire USH 12/STH 29-	
Eau Claire	1022-08-04	04/06/2016	Both Archaeology and History	IH 94	STH 312/CTH EE to STH 37	
Eau Claire	1022-08-06	11/05/2009	Both Archaeology and History	IH 94	Eau Claire - Osseo STH 37 - USH 53	
Eau Claire	1022-08-07	10/05/2011	Both Archaeology and History	IH 94	Menomonie-Eau claire STH 312/CTH E	
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800620
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800530
Eau Claire	1022-09-01	06/15/2010	Both Archaeology and History	IH94	Eau Claire - Osseo USH 53 to Mallard R	
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800580
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800152
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800570
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800540
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800350
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800360
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800500
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800520
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800151
Eau Claire	1022-09-01	05/07/2010	History Only	IH94	Eau Claire - Osseo USH 53 to Mallard R	b1800510
Eau Claire	1022-09-02	05/04/2201	History Only	IH 94	USH 53 - Mallard Road (EB & WB)	
Eau Claire	1022-09-04	01/09/2015	Both Archaeology and History	IH-94	CTH D Bridge (WB) B-18-0054	B-18-0054
Eau Claire	1022-09-05	10/26/2006	Both Archaeology and History	IH 94	Eau Claire - Osseo Road Lowes Cr Brid	
Eau Claire	1024-00-00	10/12/2010	Both Archaeology and History	IH 94	Menomonie - Eau Claire Road CTH E &	
Eau Claire	1024-00-00	10/12/2010	Both Archaeology and History	IH 94	Menomonie - Eau Claire Road CTH E &	b180022
Eau Claire	1024-00-00	10/12/2010	Both Archaeology and History	IH 94	Menomonie - Eau Claire Road CTH E &	b180019
Eau Claire	1024-00-00	10/12/2010	Both Archaeology and History	IH 94	Menomonie - Eau Claire Road CTH E &	b180021

Rongstad, Tyler J - DOT

From: Rongstad, Tyler J - DOT
Sent: Monday, November 27, 2017 9:08 AM
To: Eric.Washburn@uscg.mil
Cc: Schaff, Nicholas A - DOT; Krug, Gary - DOT
Subject: WisDOT Bridge Replacement ID 8949-05-02, Wilson Creek, Dunn Co.
Attachments: B-17-206.pdf; 89490502-location.pdf

Hi Eric,

Please review and determine if the attached proposed bridge replacement project in Dunn County, Wisconsin impacts a waterway under Coast Guard jurisdiction for bridge administration purposes.

Name of Stream: Wilson Creek
Location: Section 32, Township 29N, Range 14 W
Town of Stanton, Dunn County, Wisconsin (maps attached)
Proposed Structure: B-17-206, Single Span Concrete girder bridge (drawings attached)

Please let me know if you have questions or need additional information for this request for Coast Guard agency coordination. This request is being made to fulfill federal NEPA environmental document coordination commitments.

Thanks,

Tyler

Tyler Rongstad, P.E.

Northwest Region Project Manager
Phone: (715) 461-0372
Email: Tyler.Rongstad@dot.wi.gov
Wisconsin Department of Transportation
718 W. Clairemont Avenue
Eau Claire, WI 54701

