



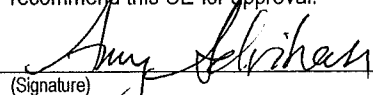
# CATEGORICAL EXCLUSION CHECK LIST

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

WisDOT Design and Construction IDs 1000-08-08 & 1000-08-88	Federal Project IDs (if available)	Legal Description (Township, Range, Section) Cameron: T 34N, R11W, S: 21 & 28 Keystone: T47N,R6W, Section 24 Hayward: T41N,R9W, Section 22 Ingram: T35N,R4W, Section 13 Danbury: T41N,R16W, S: 27 & 28 Ladysmith: T35N, R6W, Section 34 St. Croix Falls: T34N,R18W,S: 27,34	County NW Region N
Project Name NW Region Var Hwy		Project Termini/ Location Freight Mitigation Various Freight Locations	
Name of Route or Facility to be Improved Various Highways	Facility Classification Principal Arterial, 1- Minor Arterial	Improvement Type Miscellaneous	
Estimated Project Cost in Year of Expenditure \$ (include R/W Cost) \$50,000 - \$200,000		Funding Source(s) (check all that apply) <input checked="" type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> Local	
23 CFR 771.117(c) Project Type Number and Text (22) Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way.			
Section 4(f) <input checked="" type="checkbox"/> None <input type="checkbox"/> De Minimis <input type="checkbox"/> Bikeway/ Walkway <input type="checkbox"/> Minor Park/ Rec <input type="checkbox"/> Minor Historic <input type="checkbox"/> Historic Bridge <input type="checkbox"/> Net Benefit <input type="checkbox"/> Exception			
Right of Way Acquisition 0 Total Acres      0 Fee Simple Acres      0 Permanent Easement Acres      0 Temporary Easement Acres			
Number of Buildings Acquired <input checked="" type="checkbox"/> None      Vacant Buildings      Occupied Buildings			
Name of Individual/ Firm Preparing this Form Jane M. Olson/ Northern Wisconsin-Based Engineers		CE Preparation Date 10/20/2015	Environmental Process Start Date 4/1/2015

## 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)

Amy Adrian

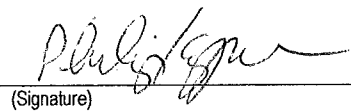
(Print Name)

10-26-15

(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)

Philip Keppers, P.E.

(Print Name)

10-26-15

(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](#).

22) Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way.

☒ 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.

The Freight Mitigation Program identified locations within the state that are impediments to the movement of over sized over weight (OSOW) freight. This project proposes to mitigate the following identified intersections located in the northern counties of the Northwest Region:

USH 8 - CTH SS North in Cameron, Barron County

USH 2 - USH 63 in Bayfield County

USH 63-STH 27-STH 77 in Hayward, Sawyer County

USH 8-STH 73 in Ingram, Rusk County

STH 35-STH 77 West in Danbury, Burnett County

USH 8-E 3rd Street in Ladysmith, Rusk County

USH 8-208th Street in St. Croix Falls, Polk County

All of the above named intersections are principal arterials and on the National Highway System except the intersection at STH 35-STH 77 West in Danbury, which is a minor arterial. All of the intersections are listed as primary or secondary routes on the OSOW map. All intersections are listed as designated long truck routes on the Wisconsin Long Truck Operators Map as noted on Trans 276.07 except STH 35-STH 77 West in Danbury, which is listed as a 75-foot Restricted Truck Route. See attached county maps, WI OSOW map and Wisconsin Long Truck Operator's Map.

This project is needed to make minor intersection improvements to the OSOW truck route by improving through and turning movements at the above named intersections. Each intersection has a unique location. See attached county maps. Minor intersection improvements are proposed to existing curb and gutter along turning radii, islands and medians, and addition of pavement behind curb and gutter to allow truck tracking and improved movements of OSOW loads through the intersections. Intersection islands and medians are proposed to be improved with mountable curb. Placing new or additional pavement behind the proposed curb, placing sign post sleeves in various intersections to allow temporary sign removal while the OSOW load is in the intersection, and slightly moving some traffic signals are proposed. All additional pavement will match each existing adjacent pavement structure. The existing sidewalk in the northwest quadrant of STH 35/STH 77 will have the sidewalk moved slightly to avoid OSOW truck overtracking. All intersections will have new pavement marking in the constructed areas. All proposed work will be completed within the existing Wisconsin DOT operational right-of-way.

**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:

The intersection of STH 35/STH 77 in the Community of Danbury is very near St. Croix Band of Chippewa Indians of Wisconsin trust land used for a casino. Section 106 was sent to the tribe, and an email was sent on 10/19/2015 that gave tribal clearance. See attached Section 106 and email from the St. Croix Band. Required no 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.

Project Location Maps:

Counties: Barron, Bayfield, Burnett, Polk, Rusk and Sawyer

Screening List                      2/24/2015 - 3/19/2015

DNR Coordination -              Final Concurrence Email 4/1/2015  
    Northern Long-eared Bat 10/15/2015

Section 106                      Project Manager Signed Section 106 8/7/2015  
    Burnett County Historical Society Email 8/6/2015  
    Tribal Letters 5/19/2015  
    Letters to St. Croix Band of Chippewa Indians of Wisconsin 7/16/2015, 8/7/2015  
    Email from WisDOT CE, James Becker, 10/14/2015  
    Email from St. Croix Band of Chippewa Indians of Wisconsin 10/19/2015

**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	Maintain access to businesses and driveways. This will be noted in the special provisions.
Business	Maintain access to businesses and driveways. This will be noted in the special provisions.
Agriculture	None required.
Community or Residential	Ensure businesses that customers and emergency vehicles will be able to access property.
Indirect Effects	None required.
Cumulative Effects	None required.
Environmental Justice	None required.
Historic Resources	On screening list for all intersections except STH 35/77 in Danbury. WisDOT-CR acknowledges a reasonable and prudent effort was put forth in complying with appropriate provisions of FDM 26, and concurs that the current proposed actions have little to no likelihood to adversely affect historic properties that would be eligible for the NRHP. Email received on 10/19/2015, St. Croix Band gave tribal clearance for the intersection.
Archaeological/Burial Sites	On screening list for all intersections except STH 35/STH 77 intersection in Danbury. If any inadvertent discoveries (human or significant archaeological) during construction additional Section 106 coordination and consultation will be required. This will be noted in the special provisions. Email received on 10/19/2015, St. Croix Band gave tribal clearance for the intersection.
Tribal Coordination/Consultation	Letters to tribes sent on 5/19/2015. Letters sent to St. Croix Tribe on 7/16/2015, 8/6/2015 and handed over to NW Region's tribal coordinator on 9/9/2015. NW Region tribal coordinator spoke with St. Croix Tribe on 9/28/2015. Email received on 10/19/2015. Commitments at STH 35/STH 77 intersection: Contractor may not enter tribal property without written permission. Also, the contractor may not use the tribal lands for staging, grading or accessing. These will be noted in the special provisions.
Section 4(f) and 6(f) or Other Unique Areas	None required.
Aesthetics	None required.
Wetlands	No wetlands impacted. Project's drainage protected with erosion control devices.
Rivers, Streams and Floodplains	No rivers, streams or floodplains.
Lakes or other Open Water	No lakes or other open water.
Groundwater, Wells and Springs	None on project.
Upland Wildlife and Habitat	No upland wildlife habitat.
Coastal Zones	Intersection of USH 2/USH 63 is in Bayfield County, a Wisconsin coastal county. The intersection is not near any current coastal zone projects.

Threatened and Endangered Species	No clearing of trees nor work with bridges or box culverts is expected. Northern Long-eared bat should not be affected. All intersections are over 1/4 mile from a known maternity roost tree and is more than 1/4 mile from a known hibernacula.
Air Quality	Not required.
Construction Stage Sound Quality	WisDOT Standard Specifications 107.8(6) and 108.7.1 will apply.
Traffic Noise	Not required.
Hazardous Substances or Contamination	Two intersections, USH 8/STH 73 in Ingram and STH 35/STH 77 in Danbury have closed LUST sites nearby. At the USH 8/STH 73 intersection the DNR BRRTS report indicated that contaminated soil is contained within the southwest quadrant. The intersection's proposed construction is limited to the southeast quadrant. Therefore, the project is unlikely to encounter contaminated soil at the intersection of USH 8/STH 73. At the STH 35/STH 77 intersection, due to the shallow construction of two feet below existing ground, the project is not likely to encounter contaminated soil at the STH 35/STH 77 intersection. However, special provisions will require the contractor to contact WisDOT should any contaminated soil be encountered at the two intersections.
Storm Water	Best Management Practices during construction will be noted in the special provisions and erosion control will be shown on plan sheets.
Erosion Control	Best Management Practices during construction will be noted in the special provisions and erosion control will be shown on plan sheets. An Erosion Control Implementation Plan(ECIP) will be required for the contractor. This will be noted in the project's special provisions.
Other	





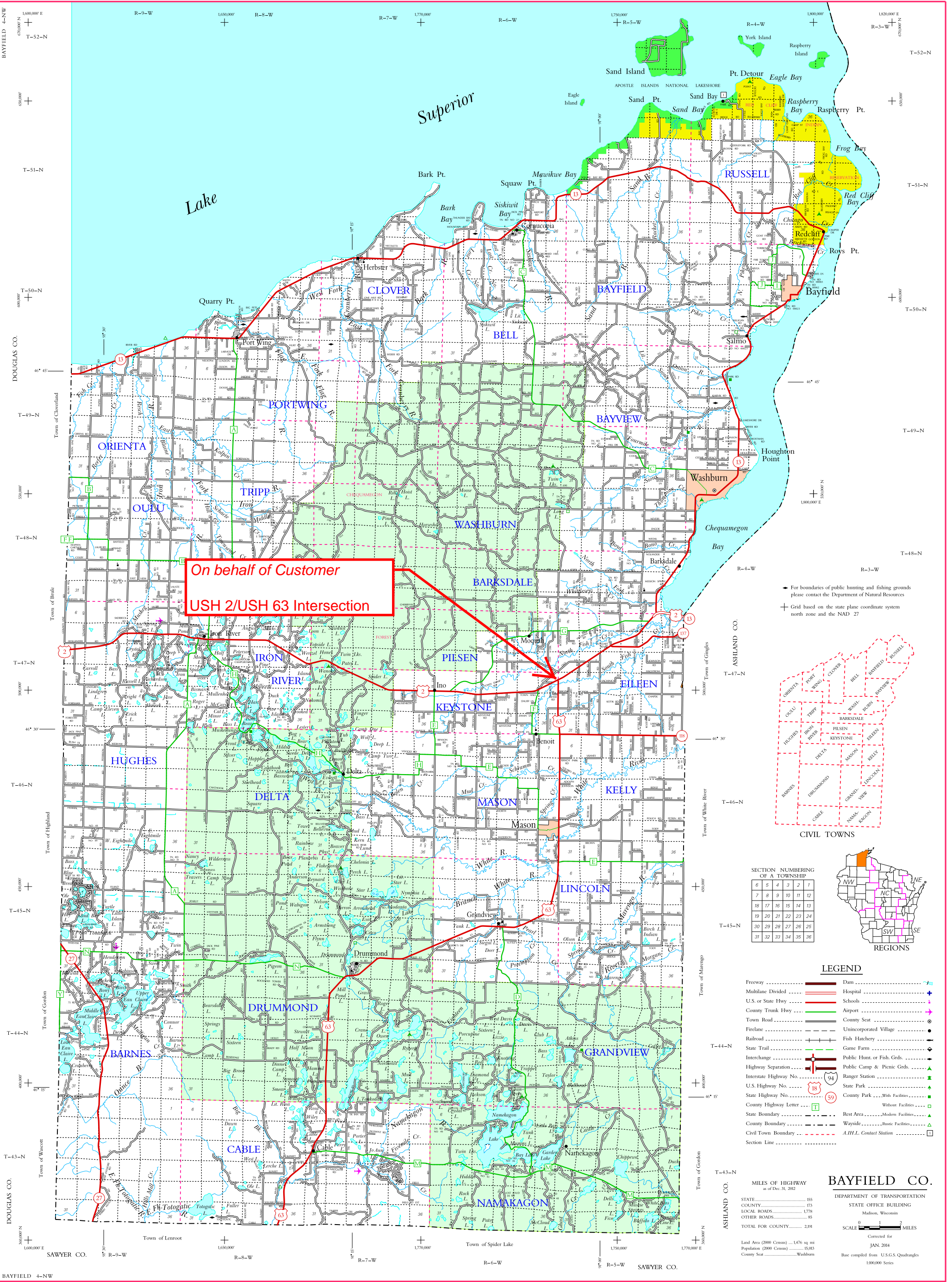
On behalf of  
Customer

On behalf of Customer

Design ID: 1000-08-08

Title: NWREGION,VAR HWY/FREIGHT MITIGATION

Limit: VARIOUS LOCATIONS - NORTH





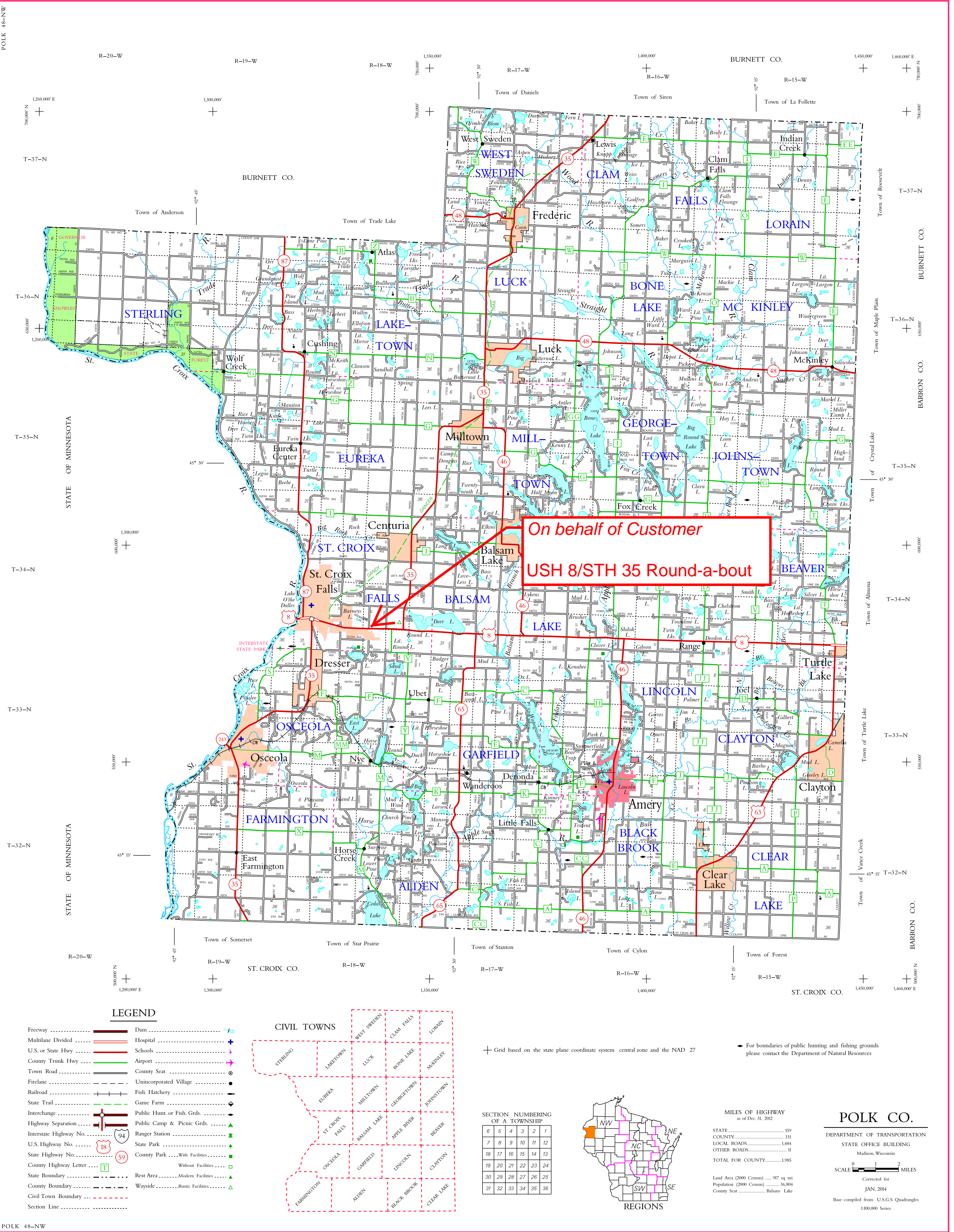




On behalf of  
Customer

On behalf of Customer

Design ID: 1000-08-08  
Title: NWREGION,VAR HWY/FREIGHT MITIGATION  
Limit: VARIOUS LOCATIONS - NORTH  
Concept: EPIECHT MITIGATION/DESIGN





On behalf of Customer

On behalf of Customer

Design ID: 1000-08-08

Title: NWREGION,VAR HWY/FREIGHT MITIGATION

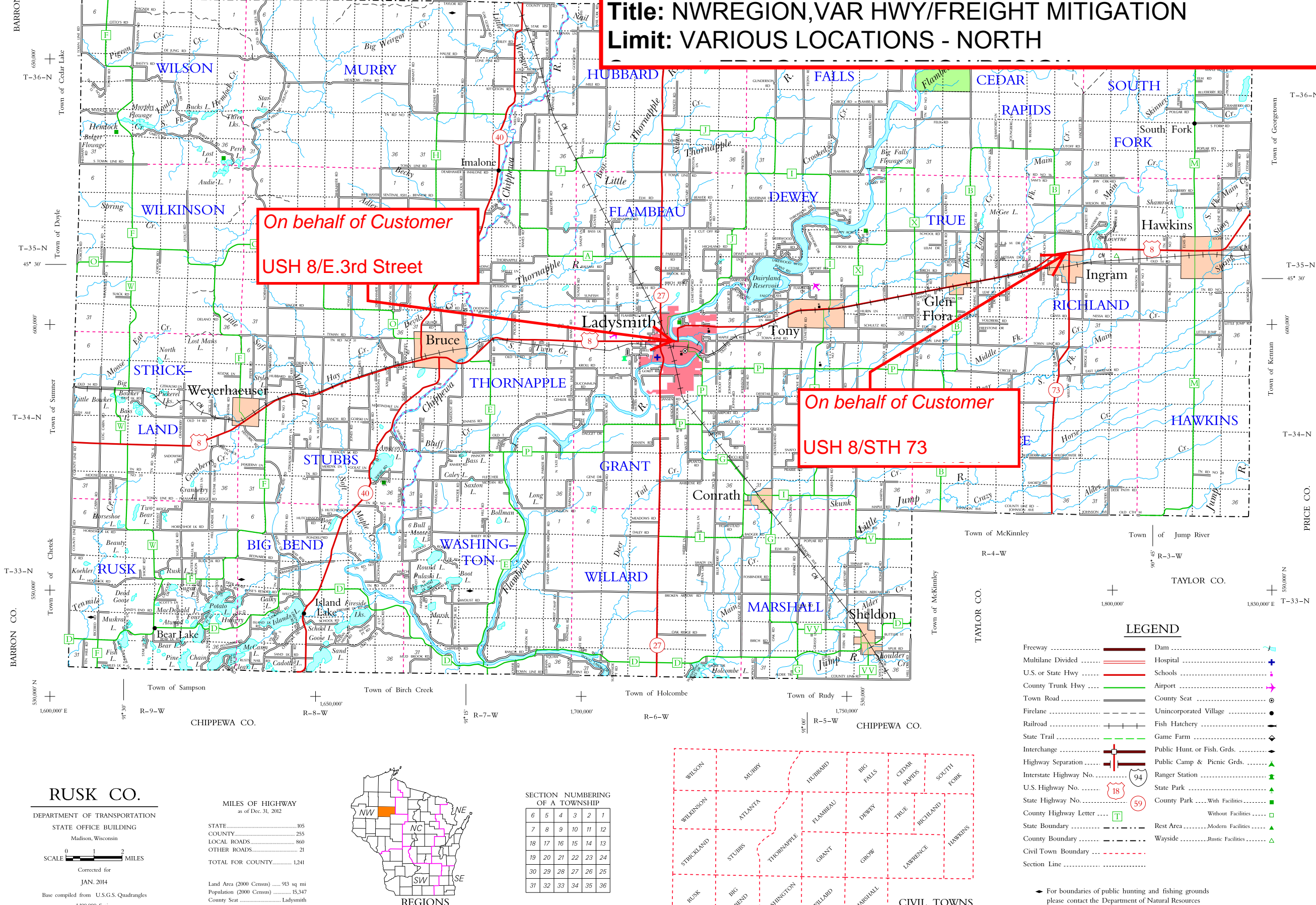
Limit: VARIOUS LOCATIONS - NORTH

On behalf of Customer

USH 8/E.3rd Street

On behalf of Customer

USH 8/STH 73

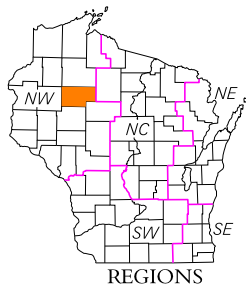


RUSK CO.

DEPARTMENT OF TRANSPORTATION  
STATE OFFICE BUILDING  
Madison, Wisconsin  
Corrected for  
JAN. 2014  
Base compiled from U.S.G.S. Quadrangles  
1:100,000 Series

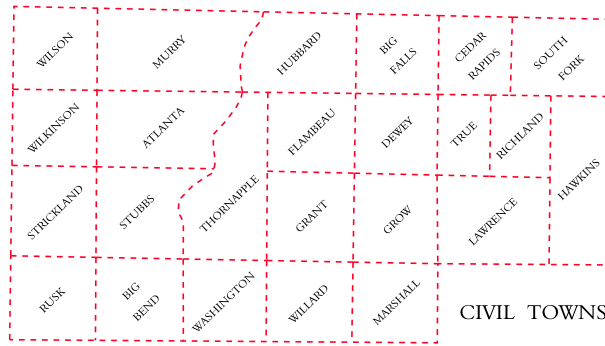
MILES OF HIGHWAY  
as of Dec. 31, 2012

STATE	105
COUNTY	255
LOCAL ROADS	860
OTHER ROADS	21
TOTAL FOR COUNTY	1,241



SECTION NUMBERING  
OF A TOWNSHIP

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36





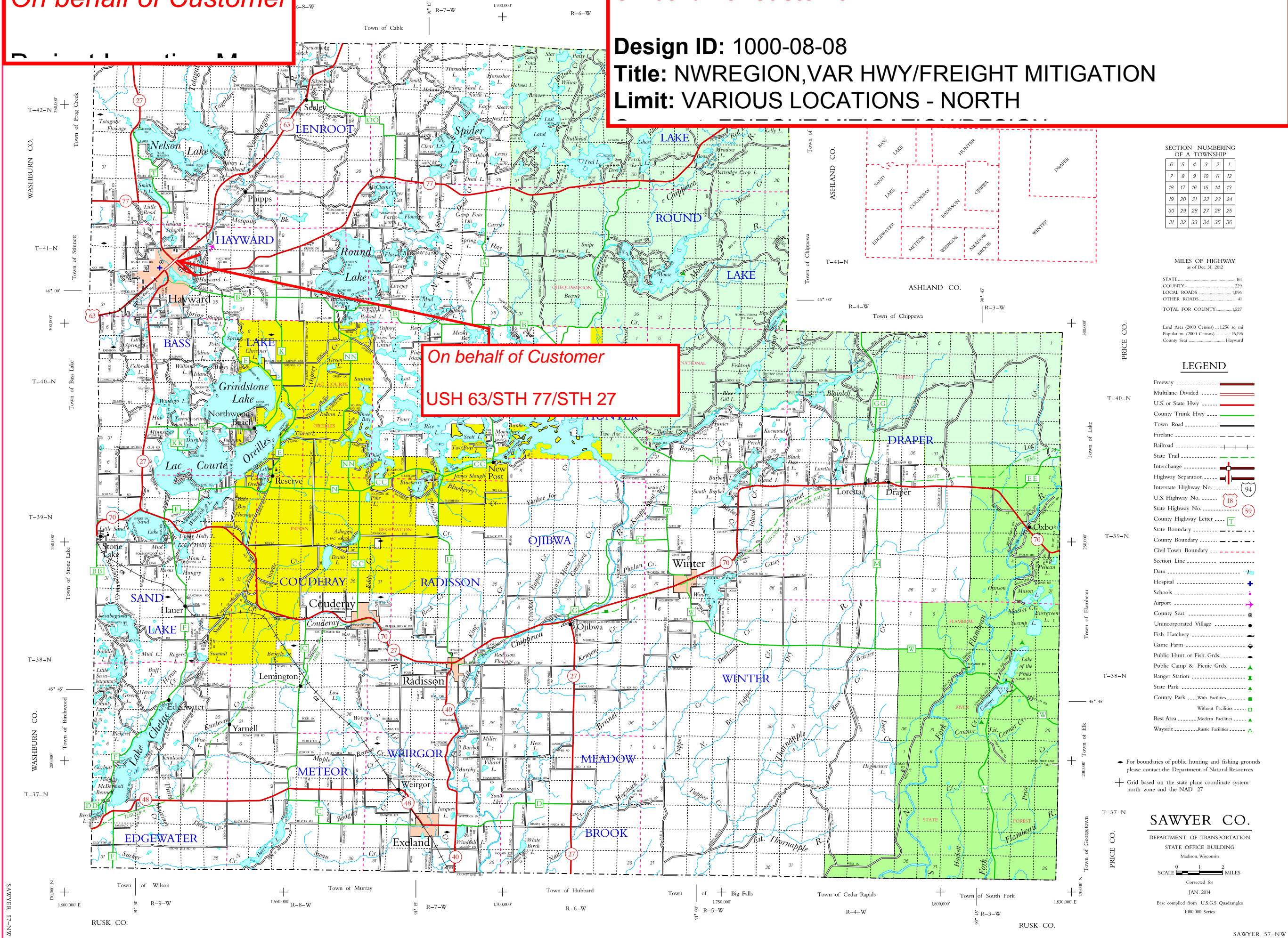
On behalf of Customer

On behalf of Customer

Design ID: 1000-08-08

Title: NWREGION,VAR HWY/FREIGHT MITIGATION

Limit: VARIOUS LOCATIONS - NORTH





***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).***

<i>County</i>	<i>Main ID</i>	<i>Notification Date</i>	<i>Project Put on Screening List for</i>	<i>Route</i>	<i>Title</i>	<i>Bridge ID</i>
Trempealea	7287-00-01	03/30/2015	Both Archaeology and History	Rippenberg Road	King Creek Bridge P-61-0114	P-61-0114
Trempealea	7505-00-00	01/22/2009	Both Archaeology and History	STH 121	Independence-Whitehall Trempealeau R	b6100630
Trempealea	7550-00-33	08/16/2012	History Only	STH 54	Galesville - melrose USH 53 to East Cty	
Trempealea	7550-02-00	03/04/2014	Archaeology Only	STH 54	CTH Aa and Silver Creek Rd inters	
Trempealea	7560-03-02	08/03/2009	Both Archaeology and History	STH 95	Arcadia-Blair Cattle Pass	
Trempealea	7560-06-01	03/07/2011	Both Archaeology and History	STH 95	Blair - Merrilan USH 53 to East Cty Line	
Trempealea	7720-00-00	10/12/2007	Both Archaeology and History	STH 95	Arcadia - Blair Rd Turton Creek bridge	b6100890
Trempealea	7722-02-61	06/16/2006	Both Archaeology & History	STH 95	Arcadia - Blair	
Trempealea	7735-00-31	10/12/2010	Both Archaeology and History	STH 121	Gilmanton-Independence West Cty Line	
Various	1000-08-75	01/26/2015	Both Archaeology and History	NW Region Deck Seali	29 Bridges	
Various	1000-08-76	01/26/2015	Both Archaeology and History	NW Region Deck Seali	53 Bridges	
Various	1000-08-88	03/02/2015	Both Archaeology and History	HWY/Freight Mitigation	Various locations	USH 8/208t
Various	1000-08-88	02/24/2015	Both Archaeology and History	HWY/Freight Mitigation	Various locations	USH 2/USH
Various	1000-08-88	02/24/2015	Both Archaeology and History	HWY/Freight Mitigation	Various locations	USH 53/US
Various	1000-08-88	03/19/2015	Both Archaeology and History	HWY/Freight Mitigation	Various locations	USH 53/E
Various	1000-08-88	03/02/2015	Both Archaeology and History	HWY/Freight Mitigation	Various locations	USH 63/ST
Various	1000-08-88	02/24/2015	Both Archaeology and History	HWY/Freight Mitigation	Various locations	STH 35/ST
Various	1000-08-88	02/24/2015	Both Archaeology and History	HWY/Freight Mitigation	Various locations	USH 8/CTH
Various	1000-08-88	03/02/2015	Both Archaeology and History	HWY/Freight Mitigation	Various locations	USH 8/STH
Various	1000-08-88	03/02/2015	Both Archaeology and History	HWY/Freight Mitigation	Various locations	USH 8/East
Various	1000-84-30	03/30/2010	Both Archaeology and History	Various Freeways Pave		IH94-STH1
Various	1000-84-30	03/30/2010	Both Archaeology and History	Various Freeways Pave		Oklahoma -
Various	1000-84-30	03/30/2010	Both Archaeology and History	Various Freeways Pave		SCL - NCL
Various	1000-84-30	03/30/2010	History Only	Various Freeways Pave		32nd St - C
Various	1000-84-30	04/09/2010	History Only	Various Freeways Pave		STH 16
Various	1000-84-30	03/30/2010	Both Archaeology and History	Various Freeways Pave		STH 794 (L
Various	1000-84-30	03/30/2010	History Only	Various Freeways Pave		Waukesha
Various	1000-84-30	03/30/2010	Both Archaeology and History	Various Freeways Pave		Milw Co Lin
Various	1000-84-30	03/30/2010	History Only	Various Freeways Pave		IH94(CTH
Various	1000-84-30	03/30/2010	Both Archaeology and History	Various Freeways Pave		IH-94 (Ken
Various	1000-84-30	03/30/2010	Both Archaeology and History	Various Freeways Pave		STH 83 - Mi
Various	1000-84-30	03/30/2010	Both Archaeology and History	Various Freeways Pave		CTH Q - Mil
Various	1000-84-30	04/14/2009	History Only	Various Freeways Pave		
Various	1020-00-33	05/18/2011	Both Archaeology and History	I-94 Beamguard		
Various	1020-06-85	04/16/2012	Both Archaeology and History	IH 94	Bridge Deck Sealing (Jackson & Trempe	
Various	1022-04-04	11/14/2013	History Only	IH 94	USH 12/STH 29 to STH 312 & Salt She	
Various	1022-07-04	02/17/2011	Both Archaeology and History	IH 94	Hudson - Menomonie STH 128 to Wilso	
Various	1022-07-05	02/23/2011	Both Archaeology and History	IH 94	Baldwin - Menomonee, CTH BB- Wilson	
Various	1023-00-10	10/22/2012	Both Archaeology and History	IH 94	Black Rvr Falls-Tomash CTh O to SCL (	
Various	1050-00-34	11/10/2011	Both Archaeology and History	STH 29	IH 94 to STH 13 (Elk Mound-Abbotsford)	
Various	1050-00-35	01/02/2014	Both Archaeology and History	STH 29	Chippewa Falls-Abbotsford Stillson Cree	
Various	1180-03-06	03/24/2015	Both Archaeology and History	USH 2	Sznaider Road to CTH A	
Various	1190-00-33	09/15/2011	History Only	USH 53 Beam Guard U	IH 94 - IH 535	

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**Subject:** FW: Freight Mitigation Project - ID# 1000-08-88 (Northern Counties)

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**From:** Heather Harrington (heather@cheqnet.net)

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**To:** jolson.nwbe@yahoo.com; gcolbert@cheqnet.net;

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**Date:** Wednesday, April 1, 2015 9:21 AM

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Sent from my Verizon Wireless 4G LTE Smartphone

----- Original message -----

From: "Keppers, Philip - DOT"

Date: 04/01/2015 7:54 AM (GMT-07:00)

To: 'Jane Olson'

Cc: 'Heather Harrington', 'Adrihan, Amy - DOT'

Subject: FW: Freight Mitigation Project - ID# 1000-08-88 (Northern Counties)

Amy completed the DNR coordination for the freight mitigation project. This email is final concurrence based on the scoping documents. For documentation this is what was sent to DNR:

<ftp://ftp.dot.wi.gov/dtsd/nw-region/nw-projects/10000886>

Note: There is no region wide sleeving component to the project as indicated on the excel file, just the 10 specific locations.

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**From:** Clark, William H - DNR**Sent:** Wednesday, April 01, 2015 8:07 AM**To:** Adrihan, Amy - DOT**Cc:** Cronk, Amy L - DNR; Haseleu, Shawn - DNR; Keppers, Philip - DOT**Subject:** Freight Mitigation Project - ID# 1000-08-88 (Northern Counties)

Amy: This is in follow-up to the information you provided on the Region-Wide Freight Mitigation Project which will be managed under three construction let projects. As recently discussed, we still need to complete our review of projects in the southern counties based on some additional information to be provided by the consultant once hired. Karen Kalvelage will provide initial review and final concurrence on the bridge replacement project in Trempealeau County under separate cover using our normal liaison

review procedures. The purpose of this response is to address the northern county projects.

Based on the information project for the northern county projects, they appear to be limited in scope and should not materially affect our natural resource interests. Therefore, we hereby provide final concurrence for these projects. If the scope of any of these projects changes, we may need to complete further review and consultation regarding any potential environmental effects.

**We are committed to service excellence.**

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

### Bill Clark

Environmental Review Supervisor – Bureau of Envir. Analysis & Sustainability

Wisconsin Department of Natural Resources

810 W. Maple Street, Spooner, WI 54801

Phone: (715)635-4226

Cell Phone: NA

Fax: (715)635-4105

[williamh.clark@wisconsin.gov](mailto:williamh.clark@wisconsin.gov)

conten

[dnr.wi.gov](http://dnr.wi.gov)



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**Subject:** RE: Project ID: 1000-08-08, Freight Mitigation Project - NLEB

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**From:** Haseleu, Shawn - DNR (Shawn.Haseleu@wisconsin.gov)

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**To:** jolson.nwbe@yahoo.com;

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**Cc:** Philip.Keppers@dot.wi.gov; Amy.Adrihan@dot.wi.gov; heather@cheqnet.net; WilliamH.Clark@wisconsin.gov; Amy.Cronk@wisconsin.gov;

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**Date:** Thursday, October 15, 2015 11:30 AM

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Hi Jane, Amy and I reviewed the remaining seven intersection projects that you had attached. The Wisconsin Natural Heritage Inventory (NHI Portal) database contains all current Northern Long-eared Bat roost sites and hibernacula in Wisconsin. The NHI Portal contains verified survey results from WI DNR, FWS, and private organizations and is updated on a weekly basis. The NHI Portal was consulted for this project on October 13, and per U.S. Fish and Wildlife Service's interim 4(d) rule, it was determined that this project is more than 1/4 mile from a known maternity roost tree AND is more than 1/4 mile from a known hibernacula. Therefore, there will be no impacts to the Northern Long-eared Bat. Let us know if you have any other questions. Thanks, Shawn

**We are committed to service excellence.**

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

Shawn Haseleu

Phone(715) 635-4228

Shawn.haseleu@wisconsin.gov

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**From:** jolson.nwbe@yahoo.com [mailto:jolson.nwbe@yahoo.com]  
**Sent:** Monday, October 12, 2015 10:53 AM  
**To:** Haseleu, Shawn - DNR; Clark, William H - DNR  
**Cc:** Jane Olson; Keppers, Philip - DOT; Adrihan, Amy - DOT; Heather Harrington  
**Subject:** Project ID: 1000-08-08, Freight Mitigation Project - NLEB

Hi Shawn and Bill,

WisDOT received DNR final concurrence from Bill Clarke for the above named project prior to the new Northern Long-eared Bat (NLEB) threatened species WisDOT/USFWS/DNR process. I attached a pdf of the final concurrence for reference.

The project information is as follows:

Project ID: 1000-08-08(88) Design (Construction)

NWRegion Var HWY/Freight Mitigation, Various Freight Locations

This project was originally scoped for 10 intersections. Three of those 10 intersections have dropped out of the project for various design reasons. The remaining 7 intersections are listed in the attached spreadsheet and pdf.

Since this project is state funded only, will not require a Corps Permit, and will not require a federal Exception to Standards, we are questioning whether we need to follow the new process for the NLEB or not.

WisDOT and NWBE would like to know if there are any known bat populations near any of the remaining 7 intersections to help us make this decision.

We appreciate your help and comments on this matter.

Feel free to use the attached spreadsheet if you like.

Thanks,

Jane Olson, PE

NWBE

Home Phone: 715-399-8036

Cell Phone: 218-391-7321

Email: [jolson.nwbe@yahoo.com](mailto:jolson.nwbe@yahoo.com)





# SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION

Wisconsin Department of Transportation  
DT1635 6/2014

For instructions, see [FDM Chapter 26](#).

## I. PROJECT INFORMATION

☐ Amended Submittal (include new information only)

Project ID 1000-08-08(88)	Highway – Street STH 35/STH 77 West (Danbury)	County Northwest Region Wide
Project Termini Var HWY/Freight Mitigation - (SW Quadrant of STH 35/STH 77 intersection)		Region – Office Northwest Region
Regional Project Engineer – Project Manager Philip Keppers		(Area Code) Telephone Number 715-395-3027
Consultant Project Engineer – Project Manager Jane Olson		(Area Code) Telephone Number (218) 391-7321(cell)
Archaeological Consultant		(Area Code) Telephone Number
Architecture/History Consultant		(Area Code) Telephone Number
Date of Need August 31, 2015		SHSW Number
Return a Signed Copy of This Form to Philip Keppers, 1701 North 4th Street, Superior, WI 54880		

## II. PROJECT DESCRIPTION

Project Length 0.594 miles	Land to be Acquired: Fee Simple 0 acres	Land to be Acquired: Easement 0 acres
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Distance as measured from existing centerline	Existing	Proposed	Other Factors	Existing	Proposed
Right-of-Way Width on STH 77 - on STH 35	33'-68' 55'	33'-68' 55'	Terrace Width none	N/A	N/S
Shoulder on STH 77	7'-9'	7'-9'	Sidewalk Width sidewalk in NW quadrant only	6'	6'
Slope Intercept on STH 35	40'	45'	Number of Lanes	2	2
Edge of Pavement On STH 35	24'	24'	Grade Separated Crossing	N/A	N/A
Back of Curb Line On STH 77	25'	25'	Vision Triangle 0.04 acres	1750 SF 0.04 Ac	1750 SF 0.04 Ac
Realignment	0	0	Temporary Bypass acres	0	0
Other – List:			Stream Channel Change	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Attach Map(s) that Depict "Maximum" Impacts.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Tree Topping and/or Grubbing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Brief Narrative Project Description:** Include all ground disturbing activities. For archaeology, include plan view map indicating the maximum area of ground disturbance and/or new right-of-way, whichever is greater. Include all temporary, limited and permanent easements. For amendments (e.g. design refinements, scope changes, etc) description should only include new/added project actions and materials.

The Freight Mitigation Program identified locations within Wisconsin that are impediments to movement of freight. This project, 1000-08-08(88) will mitigate 10 intersections in 7 counties of the Northwest Region and proposes no additional right-of-way at the intersections. All of the intersections were placed on the screening list for archaeology and history except the intersection of STH 35/STH 77 (West) in Danbury within Burnett County. This Section 106 references only one of the 10 intersections, STH 35/STH 77 in the community of Danbury, because it abuts tribal property. This intersection improvement proposes to remove the existing island and southwest (SW) quadrant's curb and gutter and replace them in the same location with mountable, lower curb head. Also, pavement will be installed behind the curb and gutter in the SW quadrant. See attached 30% plan.

Adjacent property owners include the St. Croix Band Chippewa Indians of Wisconsin. Although there will be no new permanent or temporary right-of-way acquisition, the improvement will include additional pavement including the pavement behind the curb and gutter, removable signs, pavement markings, curb and gutter and an island reconfiguration to accommodate the oversize overweight (OSOW) freight within the existing right-of-way.

☒ Add continuation sheet, if needed.

## Section 106 Review Archaeological/Historical Information

For Wisconsin DOT Project ID: 1000-08-08, Freight Mitigation Project

### **Brief Narrative Project Description Continuation Sheet**

The intersection of STH 35/STH 77's northwest quadrant will be affected by the proposed improvement. The intersection's radius is proposed to be changed to a more chamfered type configuration and the existing sidewalk behind the curb is proposed to be replaced. See the attached 30% plan, the red drawings.

## SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION (continued)

Wisconsin Department of Transportation DT1635

### III. CONSULTATION

How has notification of the project been provided to:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Property Owners                   | <input checked="" type="checkbox"/> Historical Societies/Organizations | <input checked="" type="checkbox"/> Native American Tribes |
| <input type="checkbox"/> Public Information Meeting Notice | <input type="checkbox"/> Public Information Meeting Notice             | <input type="checkbox"/> Public Info. Mtg. Notice          |
| <input type="checkbox"/> Letter - Required for Archaeology | <input type="checkbox"/> Letter  | <input checked="" type="checkbox"/> Letter                 |
| <input type="checkbox"/> Telephone Call                    | <input checked="" type="checkbox"/> Telephone Call                     | <input type="checkbox"/> Telephone Call                    |
| <input type="checkbox"/> Other:                            | <input checked="" type="checkbox"/> Other: email                       | <input type="checkbox"/> Other:                            |

Attach one copy of the base letter, list of addresses and comments received. For history include telephone memos as appropriate.

### IV. AREA OF POTENTIAL EFFECTS – APE

**ARCHAEOLOGY:** Area of potential effect for archaeology is the existing and proposed ROW, temporary and permanent easements. Agricultural practices do not constitute a ground disturbance exemption.

**HISTORY:** Describe the area of potential effects for buildings/structures.

No buildings in the APE.

### V. PHASE I – ARCHAEOLOGICAL OR RECONNAISSANCE HISTORY SURVEY NEEDED

#### ARCHAEOLOGY

- ☐ Archaeological survey is needed
- ☐ Archaeological survey is not needed
- ☐ Screening list (date)
- ☐ Burial site in project area, Wis. Stat. 157.70 applies

#### HISTORY

- ☐ Architecture/History survey is needed
- ☐ Architecture/History survey is not needed
- ☐ Screening list (date)
- ☐ No structures or buildings of any kind within APE
- ☐ Non-Survey History Documentation attached

### VI. SURVEY COMPLETED

#### ARCHAEOLOGY

- ☐ NO archaeological sites(s) identified – ASFR attached
- ☐ NO potentially eligible site(s) in project area – Phase I Report attached
- ☐ Potentially eligible site(s) identified-Phase I Report attached
- ☐ Avoided through redesign
- ☐ Phase II conducted – go to VII (Evaluation)
- ☐ Phase I Report – Cemetery/cataloged burial documentation

#### HISTORY

- ☐ NO buildings/structures identified – Report attached
- ☐ Potentially eligible buildings/structures identified in the APE – Report attached
- ☐ Avoided through redesign
- ☐ Previously listed/eligible property identified in the APE – Report attached

### VII. DETERMINATION OF ELIGIBILITY (EVALUATION) COMPLETED

- |   |   |
|---|---|
| <input type="checkbox"/> No arch site(s) eligible for NRHP – Phase II Report attached | <input type="checkbox"/> No buildings/structure(s) eligible for NRHP – DOE attached |
| <input type="checkbox"/> Arch site(s) eligible for NRHP – Phase II Report attached    | <input type="checkbox"/> Building/structure(s) eligible for NRHP – DOE attached     |
| <input type="checkbox"/> Site(s) eligible for NRHP – DOE attached                     |   |

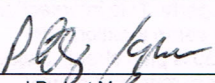
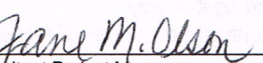
### VIII. COMMITMENTS/SPECIAL PROVISIONS – must be included with special provisions language

- ☐ Per Wis. Stat. 157.70 obtain burial authorization from WHS one year prior to construction.

### IX. PROJECT DECISION

- ☐ No historic properties (historical or archaeological) in the APE.
- ☐ No historic properties (historical or archaeological) affected.
- ☐ Historic properties (historical and/or archaeological) may be affected by project;
- ☐ Go to Step 4: Assess affects and begin consultation on affects.
- ☐ Documentation for Determination of No Adverse Effects is included with this form. WisDOT has concluded that this project will have No Adverse Effect on historic properties. Signature by SHPO below indicates SHPO concurrence in the DNAE and concludes the Section 106 Review process for this project.

### X. SIGNATURES

<b>X</b>  8/7/15	<b>X</b>	<b>X</b>
(Regional Project Manager Signature)	(Date – m/d/yy)	(WisDOT Historic Preservation Officer Signature)
		(Date – m/d/yy)
<b>X</b>  8/6/2015		(State Preservation Officer Signature)
(Consultant Project Manager Signature)	(Date – m/d/yy)	(Date – m/d/yy)



**Subject:** Section 106 Review for Intersection of STH 35 and STH 77 in Danbury

**From:** Jane Olson (jolson.nwbe@yahoo.com)

**To:** pcunliff@centurytel.net;

**Cc:** jolson.nwbe@yahoo.com;

**Date:** Thursday, August 6, 2015 3:36 PM

Hi Paul,

Thank you for calling me back today.

I work for Northern Wisconsin-Based Engineers, Inc. (NWBE) in Hayward, Wisconsin. I am working on a Wisconsin DOT Freight Mitigation project that proposes to mitigate 10 intersections in 7 counties in the Northwest Region. All of the intersections were placed on the State's Screening List for Archaeology and History except the intersection of STH 35 and STH 77 in Danbury. I am submitting a Section 106 to the St. Croix Tribe for their comments regarding the proposed improvements to this intersection. Part of the Section 106 Review is to contact Historical Societies.

So, I appreciate you calling me back.

Attached is a pdf plan sheet showing an oversized truck traveling eastbound on STH 77, then turning southbound on STH 35 (right turn). The plan is preliminary at about 30% complete. The plan shows the island curb and gutter and some of the southwest quadrant's radius curb and gutter changed from vertical curb to mountable curb. Also, there is a black line behind the radius curb and gutter showing proposed additional pavement behind the curb and gutter. All proposed improvements will be inside Wisconsin DOT's right-of-way. The proposed improvement is scheduled for next year, 2016.

Please let me know if you or the Historical Society has any questions or concerns.

Thank you!

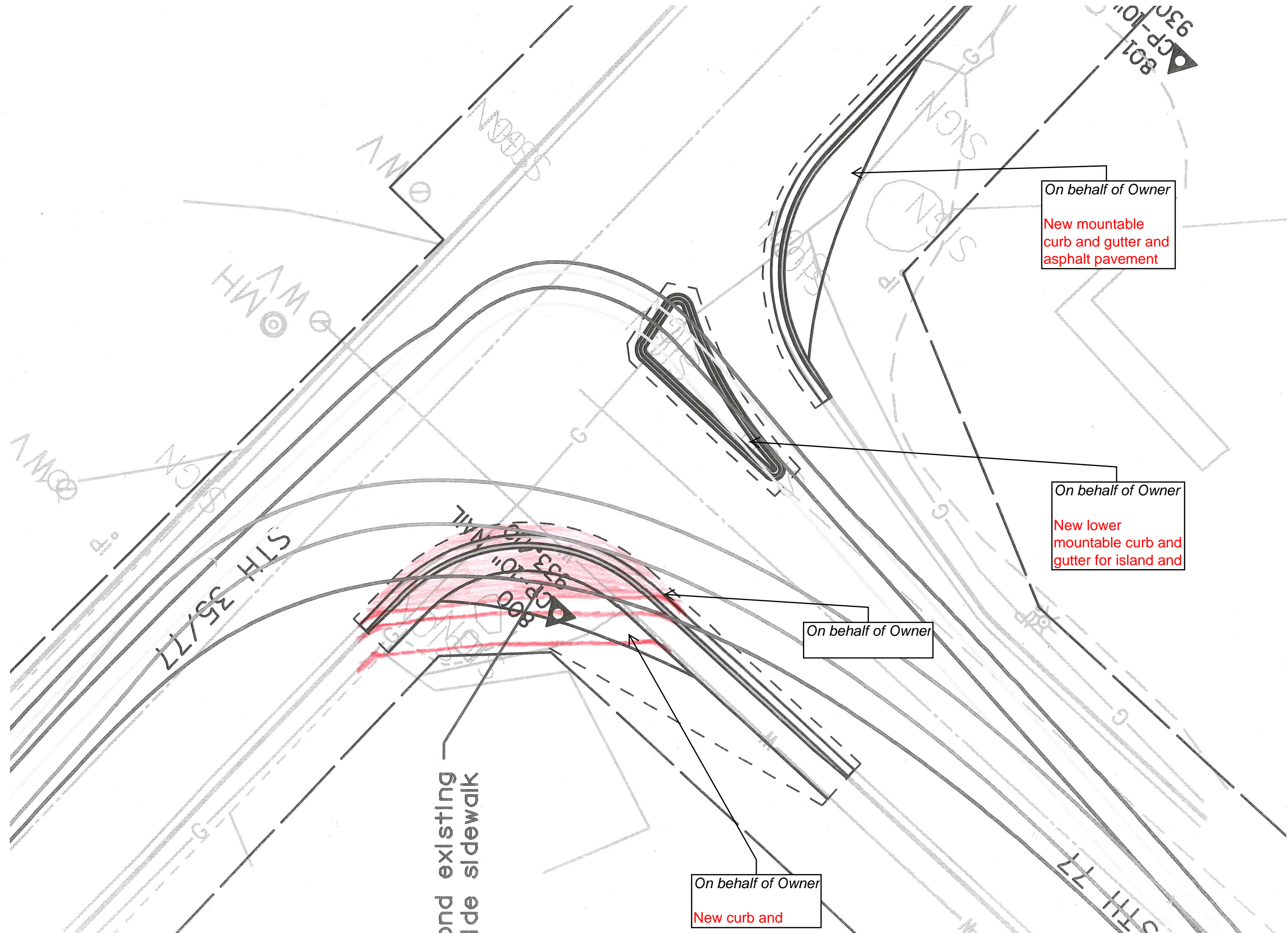
Jane Olson, PE

NWBE

Home Phone: 715-399-8036

Cell Phone: 218-391-7321

Email: jolson.nwbe@yahoo.com



On behalf of Owner  
New mountable  
curb and gutter and  
asphalt pavement

On behalf of Owner  
New lower  
mountable curb and  
gutter for island and

On behalf of Owner

On behalf of Owner  
New curb and

and existing  
side sidewalk





**Division of Transportation  
System Development**  
Northwest Region – Superior Office  
1701 N 4<sup>th</sup> St.  
Superior, WI 54880-1068

**Scott Walker, Governor  
Mark Gottlieb, P.E., Secretary**  
Internet: [www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)

Telephone: 715-392-7925  
Facsimile (FAX): 715-392-7863

E-mail: [nwr.dtsd@dot.wi.gov](mailto:nwr.dtsd@dot.wi.gov)

May 19, 2015

«TRIBAL\_NAME»  
ATTN: «CONTACT»  
«ADDR\_1»  
«ADDR2» «ADDR3»  
«CITY», «STATE» «ZIP»

Re: Notification and request for comments concerning Historic Properties

**Project ID: 100-08-86(88)  
NWRegion  
VAR HWY/FREIGHT MITIGATION  
VARIOUS FREIGHT LOCATIONS  
0.594 MILES**

The Wisconsin Department of Transportation (WisDOT), on behalf of the Federal Highway Administration, is in the process of developing plans for a freight mitigation project in the Northwest Region. The WisDOT has identified 10 highway intersections that impede movement of freight in the northern counties of the Northwest Region. Proposed design of the intersections will facilitate through movement and turning movements of oversize, overweight (OSOW) vehicles. The proposed project's scope is to reconfigure parts of the intersections that may include lanes, islands, curb and gutter, intersection pavement, base course, signs, signals, culverts, storm sewer, etc. The proposed improvements will utilize only the existing WisDOT right-of-way.

The following intersections are proposed to be reconfigured:

1. USH 8/CTH SS, City of Cameron, Barron County
2. USH 2/USH 63, Rural, Bayfield County
3. STH 35/STH 70 (West Intersection), City of Siren, Burnett County
4. USH 53/USH 2 (E. Second St. – Belknap St.), City of Superior, Douglas County
5. USH 53/E Street, City of Superior, Douglas County
6. USH 63/STH 77/STH 27, City of Hayward, Sawyer County
7. USH 8/STH 73, Village of Ingram, Rusk County
8. STH 35/STH 77 (West Intersection), Town of Danbury, Burnett County
9. USH 8/East 3<sup>rd</sup> St., City of Ladysmith, Rusk County
10. USH 8/STH 35 Roundabout, St. Croix Falls at Menards, Polk County

See Project Location Maps.

Currently this project is scheduled to be LET on May 10, 2016..

In the near future, cultural resource investigation studies will be conducted for the above named intersections. Other reviews may include: wetland identification, endangered species survey, and contaminated material investigations. 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:

Philip Keppers, P.E.  
Northwest Region Project Manager  
1701 N 4th St  
Superior, WI 54880  
(715) 395-3022

Sincerely,

*Philip Keppers* JMO

Philip Keppers P.E.  
Northwest Region Project Manager

Cc: Rebecca Burkel, Bureau of Technical Services  
Amy Adrihan, NW Region Environmental Coordinator  
Brent Pickard, NW Region Tribal Liaison  
**Jane Olson, Northern Wisconsin Based Engineers, Inc.**  
Lynn Cloud, Bureau of Technical Services

Attachments: Project Location Maps for the following counties: Barron, Bayfield, Burnett, Douglas, Polk,  
Sawyer and Rusk

**Tribal Notification List  
for Project ID:  
1000-08-86(88)  
Various Highways/Freight Mitigation  
Various Counties: Barron, Bayfield, Burnett, Douglas, Sawyer, Rusk and Polk  
10 Intersections**

Tribal Name	Contact	Addr 1	Addr2	City	State	Zip
Bad River Band of Lake Superior Chippewa Indians of Wisconsin	Edith Leoso, THPO	P.O. Box 39		Odanah	Wisconsin	54861
Forest County Potawatomi Community of Wisconsin	Melissa Cook, THPO	Tribal Office	P.O. Box 340	Crandon	Wisconsin	54520
Fond du Lac Band of Lake Superior Chippewa	LeRoy Defoe, THPO	1720 Big Lake Road		Cloquet	Minnesota	55720
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin	Jerry Smith, THPO	Tribal Office	13394 W. Trepania Road	Hayward	Wisconsin	54843
Lac du Flambeau Band of Lake Superior Chippewa Indians of Wisconsin	Melinda Young, THPO	Tribal Historic Preservation Office	P.O. Box 67	Lac du Flambeau	Wisconsin	54538
Lac Vieux Desert Band of Lake Superior Chippewa Indians	giiwegiizhigookway Martin, THPO	Ketegitigaaning Ojibwe Nation	P.O. Box 249	Watersmeet	Michigan	49969
Menominee Indian Tribe of Wisconsin	Dave Grignon, THPO	P.O. Box 910		Keshena	Wisconsin	54135
Prairie Band Potawatomi Nation	Hattie Mitchell	16281 Q Road		Mayetta	Kansas	66509
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin	Larry Balber, THPO	88385 Pike Road, Highway 13		Bayfield	Wisconsin	54814
Sac and Fox Nation of Missouri in Kansas and Nebraska	Edmore Green	305 N. Main		Reserve	Kansas	66434
Sac and Fox Nation of Oklahoma	Sandra Massey, NAGPRA Rep.	RR 2, Box 246		Stroud	Oklahoma	74079
Sac and Fox of the Mississippi in Iowa	Jonathan Buffalo, NAGPRA Rep.	349 Meskwaki Road		Tama	Iowa	52339-9629
Sokaogon Chippewa Community Mole Lake Band	Cultural Resource Director	3051 Sand Lake Road		Crandon	Wisconsin	54520
St. Croix Band Chippewa Indians of Wisconsin	Wanda McFaggen, THPO	Tribal Historic Preservation Office	24663 Angeline Ave.	Webster	Wisconsin	54893-9246



July 16, 2015

St. Croix Band of Chippewa Indians of Wisconsin  
Wanda McFaggen, THPO  
24663 Angeline Avenue  
Webster, WI 54893 - 9246

**Subject: Section 106 Review for Project ID: 1000-08-86(88), Wisconsin Department of Transportation (WisDOT) Freight Mitigation Project including the southwest quadrant of the Intersection of STH 35/STH 77 in the Village of Danbury**

Dear Ms. McFaggen, THPO,

The Wisconsin Department of Transportation would like to invite you to review and on proposed improvements to the intersection of STH 35 and STH 77 in the Village of Danbury, Wisconsin. I am Jane Olson, P.E. from Northern Wisconsin-Based Engineers, Inc.(NWBE). NWBE is under contract with WisDOT to design the above named freight mitigation project which includes the intersection of STH 35 and STH 77 in the Village of Danbury, Wisconsin. Philip Keppers, P.E. from WisDOT is the Project Manager for this project.

Enclosed are the Section 106 Review Archaeological/Historical Information form, and a plan sheet showing the WB-92 (truck with a 92-foot wheel base) wheel track turning movements, and proposed improvements to the intersection to accommodate the WB-92 turning movements. One set of tracks are from an eastbound truck on STH 77 turning south on STH 35 and another set of tracks are from a truck driving north on STH 35 turning west onto STH 77. Also, for your convenience, enclosed is the Tribal Historic Preservation Review Worksheets.


I am willing to meet with you to discuss the project's proposed improvements. Feel free to contact me any time. I work most days from my home, my home phone number is 715-399-8036. My cell phone number is 218-391-7321. My email is [jolson.nwbe@yahoo.com](mailto:jolson.nwbe@yahoo.com).

Should you need to contact Philip Keppers, he can be reached at his work phone number of 715-395-3027. Also, Philip's email address is [philip.keppers@dot.wi.gov](mailto:philip.keppers@dot.wi.gov).

I plan to call you during the week of July 20th to see if you would like to meet to discuss this project .  
WisDOT would like to receive your comments by **August 15, 2015**. Please return your comments to:

Wisconsin DOT, DTD NW Region  
Philip Keppers  
1701 N. 4th Street  
Superior, WI 54880

Sincerely,

A handwritten signature in cursive script that reads "Jane Olson".

Jane Olson, P.E.  
NWBE

Enclosure:      Section 106 Review Archaeological /Historical Information form  
                         Preliminary plan sheet and notes  
                         Tribal Historic Preservation Review Worksheet

CC: Philip Keppers, P.E., WisDOT Project Manager  
     Amy Adrihan, WisDOT Environmental Coordinator



August 7, 2015

St. Croix Band of Chippewa Indians of Wisconsin  
Wanda McFaggen, THPO  
24663 Angeline Avenue  
Webster, WI 54893 - 9246

**Subject: Section 106 Review for Project ID: 1000-08-08(88), Wisconsin Department of Transportation (WisDOT) Freight Mitigation Project including the southwest quadrant of the Intersection of STH 35/STH 77 in the Community of Danbury (Second Iteration)**

Dear Ms. McFaggen, THPO,

I am sorry for the confusion about this Section 106 Review for the STH 35/STH 77 intersection in Danbury. On July 16, 2015, I sent you a Section 106 Review form with a 30% drawing showing proposed work in the southwest quadrant of the intersection. Near the end of July, WisDOT informed me that they wanted to include the northwest quadrant, too. So, I called you and left a voice message to disregard the Section 106 for this intersection. Today, August 7, 2015 I learned that WisDOT will exclude the northwest quadrant, because they don't want to encroach oversized vehicles onto pedestrian walking areas. As a result, the Section 106 Review for the STH 35/STH 77 intersection remains the same as it was in the beginning. I would like to start over again with a new Section 106 Review form.

The Wisconsin Department of Transportation would like to invite you to review and on proposed improvements to the intersection of STH 35 and STH 77 in the Community of Danbury, Wisconsin.

I am Jane Olson, P.E. from Northern Wisconsin-Based Engineers, Inc.(NWBE). NWBE is under contract with WisDOT to design the above named freight mitigation project which includes the intersection of STH 35 and STH 77 in the Community of Danbury, Wisconsin. Philip Keppers, P.E. from WisDOT is the Project Manager for this project.

Enclosed are the Section 106 Review Archaeological/Historical Information form, a plan sheet showing the WB-92 (truck with a 92-foot wheel base) wheel track turning movements, and proposed improvements to the intersection to accommodate the WB-92 turning movements. The set of tracks are from an eastbound truck on STH 77 turning south on STH 35. Also, for your convenience, enclosed is the Tribal Historic Preservation Review Worksheets.

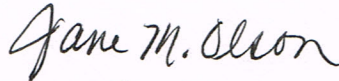
I am willing to meet with you to discuss the project's proposed improvements. Feel free to contact me any time. I work most days from my home, my home phone number is 715-399-8036. My cell phone number is 218-391-7321. My email is jolson.nwbe@yahoo.com.

Should you want to contact Philip Keppers, he can be reached at his work phone number of 715-395-3027. Also, Philip's email address is philip.keppers@dot.wi.gov.

I plan to call you during the week of August 10th to see if you would like to meet to discuss this project. WisDOT would like to receive your comments by August 31, 2015. Please return your comments to:

Wisconsin DOT, DTD NW Region  
Philip Keppers  
1701 N. 4th Street  
Superior, WI 54880

Sincerely,



Jane M. Olson, P.E.  
NWBE

Enclosure:      Section 106 Review Archaeological /Historical Information form  
                     Email to Paul Cunliffe, Society President of Burnett County Historical Society  
                     Preliminary plan sheet and notes  
                     Tribal Historic Preservation Review Worksheet

CC: Philip Keppers, P.E., WisDOT Project Manager  
     Amy Adrihan, WisDOT Environmental Coordinator



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**Subject:** FW: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

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**From:** Keppers, Philip - DOT (Philip.Keppers@dot.wi.gov)

---

**To:** jolson.nwbe@yahoo.com;

---

**Cc:** Amy.Adrihan@dot.wi.gov; heather@cheqnet.net;

---

**Date:** Thursday, October 15, 2015 8:09 AM

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Jane,

This email clears the Danbury location for 106.

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**From:** Pickard, Brent - DOT  
**Sent:** Thursday, October 15, 2015 7:30 AM  
**To:** Becker, James - DOT; Keppers, Philip - DOT  
**Cc:** Adrihan, Amy - DOT; Cloud, Lynn - DOT; Schaff, Nicholas A - DOT  
**Subject:** RE: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Thanks Jim – I stopped in to St. Croix headquarters yesterday and Wanda has been out sick again –

Phil – hopefully this allows you to move forward. One more thing, because the project is adjacent to trust land, the Native American Hiring special provision should be included in this contract.

---

**From:** Becker, James - DOT  
**Sent:** Wednesday, October 14, 2015 2:54 PM  
**To:** Pickard, Brent - DOT <[brent.pickard@dot.wi.gov](mailto:brent.pickard@dot.wi.gov)>; Keppers, Philip - DOT <[Philip.Keppers@dot.wi.gov](mailto:Philip.Keppers@dot.wi.gov)>  
**Cc:** Adrihan, Amy - DOT <[Amy.Adrihan@dot.wi.gov](mailto:Amy.Adrihan@dot.wi.gov)>; Cloud, Lynn - DOT <[Lynn.Cloud@dot.wi.gov](mailto:Lynn.Cloud@dot.wi.gov)>; Schaff, Nicholas A - DOT <[NicholasA.Schaff@dot.wi.gov](mailto:NicholasA.Schaff@dot.wi.gov)>; Becker, James - DOT <[James.Becker@dot.wi.gov](mailto:James.Becker@dot.wi.gov)>  
**Subject:** RE: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Brent/others;

This project will not be placed on the screening list; therefore, consider this email as WisDOT-CR formal response.

**Bottom-line:** No additional section 106 coordination & obligations are needed at this time. However, if there are inadvertent discoveries (human or significant archaeological) during construction additional section 106 coordination and consultation will be required.

**Additional Information:**

Although WisDOT-CR would have preferred formal comments from the St. Croix THPO representative (Wanda McFaggen), WisDOT-CR acknowledges a reasonable and prudent effort was put forth in complying with appropriate provisions of FDM 26, and concurs that the current proposed actions (referenced below) have little to no likelihood to adversely affect historic properties that would be eligible for the NRHP.

If there are any questions, please do not hesitate to contact me.

Regards,

Jim

---

**From:** Pickard, Brent - DOT  
**Sent:** Tuesday, October 13, 2015 10:47 AM  
**To:** Becker, James - DOT <[James.Becker@dot.wi.gov](mailto:James.Becker@dot.wi.gov)>; Keppers, Philip - DOT <[Philip.Keppers@dot.wi.gov](mailto:Philip.Keppers@dot.wi.gov)>  
**Cc:** Adrihan, Amy - DOT <[Amy.Adrihan@dot.wi.gov](mailto:Amy.Adrihan@dot.wi.gov)>; Cloud, Lynn - DOT <[Lynn.Cloud@dot.wi.gov](mailto:Lynn.Cloud@dot.wi.gov)>; Schaff, Nicholas A - DOT <[NicholasA.Schaff@dot.wi.gov](mailto:NicholasA.Schaff@dot.wi.gov)>  
**Subject:** RE: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Jim – past my conversation with Wanda on the 28<sup>th</sup> (where she indicated she did not think she had any concerns but would get back to me the next day) – I have not had further discussions – multiple attempts but no connection.

I just left another message for her and I will try to stop into her office tomorrow.

This is all an area that has been disturbed numerous times for various construction projects, so the likelihood of her having any concerns is minimal. If I can't get a response over the next 24 hours, can CR move forward with the notification as you have described below so the project team can proceed?

Brent

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**From:** Becker, James - DOT  
**Sent:** Monday, September 28, 2015 11:50 AM  
**To:** Keppers, Philip - DOT  
**Cc:** Adrihan, Amy - DOT; Cloud, Lynn - DOT; Schaff, Nicholas A - DOT; Pickard, Brent - DOT; Becker, James - DOT  
**Subject:** RE: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Thanks Philip for your follow-up.

Brent, did you have any success with contacting St. Croix on your end? As we know, there's wasn't a rep at the WisDOT/THPO meeting in Red Cliff.

Jim

---

**From:** Keppers, Philip - DOT  
**Sent:** Monday, September 28, 2015 11:18 AM  
**To:** Becker, James - DOT  
**Cc:** Adrihan, Amy - DOT; Cloud, Lynn - DOT; Schaff, Nicholas A - DOT; Pickard, Brent - DOT  
**Subject:** RE: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Jim,

I hadn't seen anything on this so I wanted to follow up on the status of the CR email.

---

**From:** Becker, James - DOT  
**Sent:** Tuesday, September 15, 2015 8:33 AM  
**To:** Keppers, Philip - DOT  
**Cc:** Adrihan, Amy - DOT; Becker, James - DOT; Cloud, Lynn - DOT; Schaff, Nicholas A - DOT; Pickard, Brent - DOT  
**Subject:** FW: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Philip,

Thank you for your comments and illustration below.

In response, WisDOT-CR is not comfortable with placing this project on the screening list due to a few of the unknowns as noted in previous conversations. But, CR is in agreement the proposed project actions have little to no likelihood to impact 'historic properties', and as a result would prepare an email stating this position. However, CR agreed that before this correspondence is finalized, the regional tribal liaison should attempt to reach out to the tribe (THPO, or designated rep) to see if there are any cultural resource concerns the agency should take into consideration.

In addition, since there's a WisDOT/THPO meeting tomorrow (9-16-15) in Red Cliff, Brent & or I can mention this project and see if the St. Croix has a new POC in regards to cultural resources.

**Bottom-line:** Providing the outreach efforts mentioned above are attempted/completed, I anticipate WisDOT-CR preparing their final correspondence sometime next week.

Thanks,

Jim

<< File: 1000-08-88[8]- Tribal Lands Boundaries.pdf >>

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**From:** Keppers, Philip - DOT  
**Sent:** Monday, September 14, 2015 8:25 AM  
**To:** Becker, James - DOT; Cloud, Lynn - DOT  
**Cc:** Adrihan, Amy - DOT; Schaff, Nicholas A - DOT; Pickard, Brent - DOT  
**Subject:** RE: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

There will be advanced traffic control signs put up 250', 500' and 1000' from the intersection north, south and west on existing DOT RW. One of them would be on the existing STH 35 RW on the west side which would be in front of the casino (which is the red cross hatched property on the attachment) but on the other side of STH 35). I would also expect flagging operations with a single lane closure at times and this may occur on the existing STH 35 RW adjacent to the casino property. This would be the only project action that would be outside the red shaded area on the attachment which is also all on existing DOT RW.

We could add a special provision that says the contractor may not enter the casino property without written permission so they don't try to turn trucks or something like that.

So, I would say there are no project actions within or on tribal lands however the one traffic control sign and possibly flagging would be on existing DOT RW in front of the casino property.

<< File: 20150910135608491.pdf >>

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**From:** Becker, James - DOT  
**Sent:** Friday, September 11, 2015 3:03 PM  
**To:** Cloud, Lynn - DOT  
**Cc:** Keppers, Philip - DOT; Adrihan, Amy - DOT; Schaff, Nicholas A - DOT; Becker, James - DOT; Pickard, Brent - DOT  
**Subject:** FW: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Lynn,

Thanks for passing along, after reading the comments below, I cannot agree to having you place this project on the screening list... yet (due to the land declaration below).

Just to tidy things up Philip, so this project can move forward, in addition to your comment below regarding not within the reservation, does this also include no project actions (staging, grading, accessing, TLE's, etc.) will be occurring within or on tribal lands that are in trust or allotted status?

Lynn, if Philip or a designated regional rep confirms there will be no project actions will occur within or on tribal lands (that are in trust or allotted status) I would be in agreement the project qualifies under provisions set forth in FDM 26-5 A1.

Jim

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**From:** Cloud, Lynn - DOT  
**Sent:** Friday, September 11, 2015 1:56 PM  
**To:** Becker, James - DOT  
**Cc:** Adrihan, Amy - DOT; Schaff, Nicholas A - DOT  
**Subject:** FW: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Jim, See note below. I noticed when opening the attachments that you were included in various correspondence. Were your questions answered? Do you have concern with this project being placed on the screening list?

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**From:** Keppers, Philip - DOT  
**Sent:** Thursday, September 10, 2015 2:04 PM  
**To:** Cloud, Lynn - DOT  
**Cc:** Adrihan, Amy - DOT; Schaff, Nicholas A - DOT  
**Subject:** RE: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Lynn,

We were beginning coordination with the St Croix THPO and were having some difficulty contacting her. After a lot of back and forth (attached emails) it was concluded that the STH 35/STH 77 intersection work is not within the reservation.

<< Message: RE: Section 106 for Freight Mitigation Project - 1000-08-08, STH 35/STH 77 Intersection in Danbury >>

<< Message: RE: Section 106 for Freight Mitigation Project - 1000-08-08, STH 35/STH 77 Intersection in Danbury >>

<< Message: FW: Section 106 for Freight Mitigation Project - 1000-08-08, STH 35/STH 77 Intersection in Danbury >>

I colored the construction area in solid red. The property directly across STH 77 from the work (boundary highlighted in pink) is not trust land but the property on the west side of STH 77 directly north (cross hatched in red) is trust land.

<< File: 20150910135608491.pdf >>

Can this location be screened?

---

**From:** Cloud, Lynn - DOT  
**Sent:** Monday, March 02, 2015 3:43 PM  
**To:** Keppers, Philip - DOT  
**Cc:** Adrihan, Amy - DOT; Schaff, Nicholas A - DOT  
**Subject:** RE: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Hi Phil. The archival and literature review has been completed for the above project. All but 2 of the submitted locations were added to the screening list for both archaeology and history (see the FTP site).

- 5) USH 53/E Street has a reported arch site within the limits and additional research is being conducted to determine how to proceed (ok for history)

- 8) STH 35/STH 77; part of this project is within or abutting tribal land. The region will have to consult with the St Croix Band of Lake Superior Chippewa Indians. Please provide the results of this correspondence to BRTS/CR.

Lynn

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**From:** Keppers, Philip - DOT

**Sent:** Thursday, January 29, 2015 2:58 PM

**To:** Cloud, Lynn - DOT

**Cc:** Adrihan, Amy - DOT; Schaff, Nicholas A - DOT

**Subject:** FW: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

Lynn,

I'm the PM for the 1000-08-86 (design) 1000-08-86 (construction) freight mitigation project. There are 9 locations in 6 counties in this project. The files are too big to email so I put them on the y drive at:

<\\mad00fph\temp\10000888>

106Freight Mitigation\_North LET.pdf shows the details of the proposal at each location.

The 6 county maps are included with each location identified.

I also included a description of the work at each location below:

Location 1	NW	USH 8/CTH SS North (Cameron)	2016	\$25,000	Mitigate one right-turn island, signs, and one signal head on south leg
Location 2	NW	USH 2/USH 63 (Bayfield County)	2016	\$25,000	Mitigate one right-turn island, signs, and one flashing beacon on south leg
Location 3	NW	STH 35/STH 70 West (Siren)	2016	\$70,000	Mitigate two curbed radii, signs, and four signal heads on west leg
Location 4	NW	USH 53/USH 2 West (Superior)	2016	\$30,000	Mitigate one median island on west leg, one median island on south leg, and signs
Location 5	NW	USH 53/E Street (Superior)	2016	\$30,000	Mitigate two median islands and signs on north/south legs
Location 6	NW	USH 63/STH 77/STH 27 (Hayward)	2016	\$30,000	Mitigate two median islands and signs on east/west legs
Location 7	NW	USH 8/STH 73 (Ingram)	2016	\$20,000	Mitigate one right-turn island and signs on south leg
Location 8	NW	STH 35/STH 77 West (Danbury)	2016	\$20,000	Mitigate one right-turn island and signs on west leg
Location 9	NW SUP	USH 8/East 3rd Street (Ladysmith)	2016	\$20,000	Mitigate one right-turn island and signs on north leg

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**From:** Schaff, Nicholas A - DOT

**Sent:** Wednesday, January 28, 2015 4:06 PM  
**To:** Passuello, Nicole - DOT; Koepp, David - DOT; Keppers, Philip - DOT  
**Cc:** Adrihan, Amy - DOT  
**Subject:** FW: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

As you might have guessed, having several projects lumped under just a few ID's can be problematic for our Cultural Resources people, as well as our DNR partners. I've talked to Lynn Cloud about this CDR and she needs more information to determine whether a location is eligible to be on the Screening List or not.

For each project Lynn would like you to send her:

- Specific project termini or locations of work to be performed
- Specific project location maps showing clearly where we are proposing to do work
- Make sure to mention when you send these in that this is for a freight mitigation project. We are operating under a shortened schedule on these and Lynn will expedite the review if she knows that the projects are under the freight funding.

When you send these materials in to Lynn please copy Amy and me so we know what is going on.

Amy is going to be talking to the DNR to see how they want to review these projects. We'll pass that information along when we have it.

If you have any questions talk to Amy or me.

Thanks.

Nick

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**From:** Smrstick, Timothy J - DOT

**Sent:** Wednesday, January 28, 2015 10:51 AM

**To:** Abboud, Jeffry - DOT; Adrihan, Amy - DOT; Anderson, Robert - DOT (Northwest Region); Bachman, Steven M - DOT; Barnes, Rolanda D - DOT; Beekman, Thomas - DOT; Berg, Jennifer L - DOT; Bielefeldt, Heath - DOT; Bjorklund, Allan - DOT; Bowker, Marc - DOT; Brunner, Gary - DOT; Burger, Lance - DOT; Conlin, Paul - DOT; Cunningham, Beth - DOT; Davey, Anna - DOT; Dickenson, Matthew - DOT; Dirkes, Brendan - DOT; Dresel, Heather L - DOT; Emerson, Jeffrey - DOT; Felix, Jessica L - DOT; Fenske, David - DOT; Flamang, Nicole M - DOT; Gingras, Paul - DOT; Goldade, Anthony - DOT; Haig, Gregory - DOT; Harris, Kyle - DOT; Hayek, Mohamad - DOT; Heldt, Robert L - DOT; Helgeson, Greg - DOT; Heller, Sue - DOT; Hines, Chad - DOT; Hughes, Mark - DOT; Keppers, Philip - DOT; Kern, Jeffrey - DOT; King, Orville - DOT; Koenig, James - DOT; Koepp, David - DOT; Kopacz, Daniel - DOT; Lambele, Stacie - DOT; Larson, David D - DOT (DTSD); Luedtke, Randy - DOT; Luke, Morris - DOT; Mason, Timothy - DOT; Maves, Wendy - DOT; Olson, Jeffrey - DOT; Ostrenga, Michael - DOT; Ostrowski, David - DOT; Passuello, Nicole - DOT; Perkins, Mike - DOT; Pickard, Brent - DOT; Ploederer, Mark - DOT; Pollock, David E - DOT; Putzy, Richard - DOT; Reddy, Matthew - DOT; Ricksecker, Richard - DOT; Ricksecker, Tammy - DOT; Rusch, Stacey - DOT; Schaff, Nicholas A - DOT; Shermo, Richard - DOT; Smrstick, Timothy J - DOT; Stapelmann, Troy - DOT; Stensland, Andrew - DOT; Sydow, Stephen - DOT; Tumaniec, Richard - DOT; Weiss, Tara - DOT; Wincentsen, David - DOT; Wischhoff, Peggy F - DOT; Yang, Tou - DOT

**Cc:** DOT DL DTSD CDR BEES; DOT DL DTSD CDR BHO LANDSCAPE; DOT DL DTSD CDR BHO TRAFFIC; DOT DL DTSD CDR BOS; Anderson, William - DOT (Project Development); Jones, Larry - DOT; Reukema, Robert - DOT; Revello, Brian - DOT; Stolzman, John J - DOT; Tyler, Daniel - DOT; Wischhoff, Peggy F - DOT; Morrison, Mark - DOT

**Subject:** CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

<< File: 20150128\_1000-08-86,88,89,7590-01-85\_cdr.pdf >>

<< File: 20150126\_1000-08-86\_pcr.docx >>

Tim Smrstick  
Program Engineer  
718 WClairmont Ave  
Eau Claire WI 54701  
(715) 836-2834  
[timothy.smrstick@dot.wi.gov](mailto:timothy.smrstick@dot.wi.gov)



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**Subject:** FW: Danbury - Highway 35/77 intersection improvements

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**From:** Keppers, Philip - DOT (Philip.Keppers@dot.wi.gov)

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**To:** janeolson2@yahoo.com;

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**Cc:** Amy.Adrihan@dot.wi.gov;

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**Date:** Monday, October 19, 2015 10:13 AM

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I would add this email to the 106 coordination attachment along with the CR email from last week.

-----Original Message-----

From: Pickard, Brent - DOT

Sent: Monday, October 19, 2015 8:46 AM

To: Becker, James - DOT <[James.Becker@dot.wi.gov](mailto:James.Becker@dot.wi.gov)>; Keppers, Philip - DOT <[Philip.Keppers@dot.wi.gov](mailto:Philip.Keppers@dot.wi.gov)>

Subject: FW: Danbury - Highway 35/77 intersection improvements

FYI - Tribe has no concern about Danbury.

-----Original Message-----

From: Wanda McFaggen [mailto:[wandam@steroixtribalcenter.com](mailto:wandam@steroixtribalcenter.com)]

Sent: Monday, October 19, 2015 8:43 AM

To: Pickard, Brent - DOT <[brent.pickard@dot.wi.gov](mailto:brent.pickard@dot.wi.gov)>

Subject: RE: Danbury - Highway 35/77 intersection improvements

Brent,

I'm sorry I didn't get back to you on this right away, dealing with sickness off and on.

It looks good to me with tribal clearance.

Thanks,

Wanda

-----Original Message-----

From: Pickard, Brent - DOT [mailto:[brent.pickard@dot.wi.gov](mailto:brent.pickard@dot.wi.gov)]

Sent: Tuesday, October 06, 2015 2:08 PM

To: Wanda McFaggen

Subject: RE: Danbury - Highway 35/77 intersection improvements

Hi Wanda -- anything new on this?

-----Original Message-----

From: Wanda McFaggen [mailto:[wandam@steroixtribalcenter.com](mailto:wandam@steroixtribalcenter.com)]

Sent: Monday, September 28, 2015 1:25 PM

To: Pickard, Brent - DOT

Subject: RE: Danbury - Highway 35/77 intersection improvements

Hi Brent

I've been meaning to get in touch with that lady about this, I recieved another contact awhile ago that said I could disregard the project then this other lady started contacting me about this so I got confused and thought I better take a look and find out whats what but so far I havent had the chance too. Im one person wearing too many hats and something is always bound to fall off the grid. Ill get back to you first thing tomorrow afternoon. Thanks alot.

I dont believe we have concerns but...

take care

wanda

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Pickard, Brent - DOT" <[brent.pickard@dot.wi.gov](mailto:brent.pickard@dot.wi.gov)>

Date: 09/28/2015 12:44 PM (GMT-06:00)

To: Wanda McFaggen <[wandam@stcroixtribalcenter.com](mailto:wandam@stcroixtribalcenter.com)>

Subject: Danbury - Highway 35/77 intersection improvements

Hi Wanda - hope all is well.

You may have seen something about this project --- they are looking at making some minor changes to the intersection of Highways 35 and 77 in Danbury. The improvements would be on the west side of the intersection - to try to channel truck movements (there is a rough sketch attached). They're planning on doing the work next summer.

Doesn't look like there is any direct impacts to any of the St. Croix's land - they would be putting up some traffic control signs.

Do you have any concerns - or anything you'd like to discuss?

Brent

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From: Keppers, Philip - DOT

Sent: Monday, September 14, 2015 8:25 AM

To: Becker, James - DOT; Cloud, Lynn - DOT

Cc: Adrihan, Amy - DOT; Schaff, Nicholas A - DOT; Pickard, Brent - DOT

Subject: RE: CDR & LC 11 for 1000-08-86,88,89,7590-01-85 Various County

There will be advanced traffic control signs put up 250', 500' and 1000' from the intersection north, south and west on existing DOT RW. One of them would be on the existing STH 35 RW on the west side which would be in front of the casino (which is the red cross hatched property on the attachment) but on the other side of STH 35). I would also expect flagging operations with a single lane closure at times and this may occur on the existing STH 35 RW adjacent to the casino property. This would be the only project action that would be outside the red shaded area on the attachment which is also all on existing

DOT RW.

We could add a special provision that says the contractor may not enter the casino property without written permission so they don't try to turn trucks or something like that.

So, I would say there are no project actions within or on tribal lands however the one traffic control sign and possibly flagging would be on existing DOT RW in front of the casino property.