

CATEGORICAL EXCLUSION CHECK LIST

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

WisDOT Design and Construction IDs Design ID: 5496-00-04 Construction ID: 5496-00-74	Federal Project IDs (if available) N/A	Legal Description (Township, Range, Section) Sections 31 and 32, T8N, R6W and Section 36, T8N, R7W, Town of Eastman	County Crawford
Project Name STH 35 – STH 27		Project Termini/ Location STH 35 – Teter Lane	
Name of Route or Facility to be Improved CTH N	Facility Classification Major Collector	Improvement Type Reconstruction	
Estimated Project Cost in Year of Expenditure \$ (include R/W Cost) \$3,861,000 w/ 15% E&C (Includes \$134,000 for R/W Costs using local funds; 2019 Year of Expenditure Dollars)		Funding Source(s) (check all that apply) <input type="checkbox"/> State <input checked="" type="checkbox"/> Federal <input checked="" type="checkbox"/> Local	
23 CFR 771.117(c) Project Type Number and Text 23(i) Federally-funded projects that receive less than \$5,179,656.40 of Federal Funds			
Section 4(f) <input checked="" type="checkbox"/> None <input type="checkbox"/> De Minimis <input type="checkbox"/> Bikeway/ Walkway <input type="checkbox"/> Minor Park/ Rec <input type="checkbox"/> Minor Historic <input type="checkbox"/> Historic Bridge <input type="checkbox"/> Net Benefit <input type="checkbox"/> Exception			
Right of Way Acquisition 16.80 Total Acres 16.20 Fee Simple Acres 0.00 Permanent Easement Acres 0.60 Temporary Easement Acres			
Number of Buildings Acquired <input checked="" type="checkbox"/> None Vacant Buildings Occupied Buildings			
Name of Individual/ Firm Preparing this Form Ellery Schaffer, P.E. / Jewell Associates Engineers, Inc.		CE Preparation Date 4/5/2018	Environmental Process Start Date 10/4/2013

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.



Bill Biesmann, P.E. – SW Region LPMC

(Print Name)

4/10/18

(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.



John Bainter, P.E. – SW Region LPPM

(Print Name)

4/12/2018

(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.

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	Commitments Made Access to the restaurant and motel located in the northeast and southeast quadrants of the STH 35 / CTH N intersection will be maintained during construction. The WisDOT construction supervisor will ensure fulfillment.
Agriculture	Commitments Made Access to agricultural fields will be maintained during construction. The WisDOT construction supervisor will ensure fulfillment.
Community or Residential	Commitments Made Access to residential/farm properties will be maintained during construction on the project. One relocation of a residential trailer house will be required as a result of project impacts. The owner (1-person) of the trailer has lived in this location since around 2000 and currently leases the area the trailer house is located from an adjacent landowner along the south side of CTH N highway corridor for \$200/month. The lease is valid through December, 2018. Water service is provided from a shared use well located located on the north side of CTH N and crosses underneath the existing road bed to service the trailer. Sanitary sewer service is provided via a holding tank located on the south side of the trailer and is owned by the landowner. The owner of the trailer also owns a shed (12'x16') that is situated on concrete blocks (movable) and is located behind the trailer house. The shed houses fish nets used for the trailer owners commercial fishing operations. The landowner placed concerns over relocating the existing trailer to another location. Concerns included the age of the existing trailer (1982), trailer roof is not shingled (adjacent township – Town of Prairie du Chien requirement), and the ability to bring his catch to his residence. The owner of the trailer stated that he has been actively looking for a place to relocate to, but has thus far been unsuccessful in doing so. The current landowner is not interested in allowing the trailer owner to relocate the trailer elsewhere on the property. An Acquisition Stage Relocation Plan will be developed to assist with the relocation of the trailer house. The WisDOT construction supervisor will ensure fulfillment.
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	No special or supplemental commitments required
Rivers, Streams and Floodplains	<p>Commitments Made</p> <p>The large drainage swale located to along the south side of CTH N from STH 35 to Demanes Lane will be realigned in multiple locations. Permanent and temporary erosion control features, including the use of stone gabions, will be installed to prevent against erosion of the large drainage swale into the Mississippi River. Flood calculations and an evaluation of impacts to land owners for the drainage way south of CTH N at the beginning of the project will be completed. The Crawford County Zoning Authority will be sent drainage calculations. These environmental commitments will be included in the plans and/or special provisions. The WisDOT construction supervisor will ensure fulfillment.</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	<p>Commitments Made</p> <p>To prevent the spread of oak wilt disease, avoid cutting or pruning of oaks from April through September. Crawford County will clear oak tree species prior to April 1. To prevent the spread of Emerald Ash Borer (EAB) beetle, do not transport cut hardwood (non-coniferous) firewood, ash logs, ash mulch or bark fragments larger than one inch in diameter, or ash nursery stock. The WisDOT construction supervisor will ensure fulfillment.</p>
Coastal Zones	No special or supplemental commitments required
Threatened and Endangered Species	<p>The timber rattlesnake is known to occur in the project area or vicinity and could be impacted by this project. A very active den is located directly behind the Spring Lake Inn. During the summer season the timber rattlesnake can travel up to a mile from their den. Date restrictions and silt fence turns will be incorporated into the plans and specifications. There are no known NLEB roost sites or hibernaculum within 2 miles of the project area. Streamlined consultation with the FWS was performed in accordance with the Final 4(d) rule. No response was received in 30 days. No further coordination is required. Standard special provisions for the NLEB will be included in the final plans and specifications. The project is located in the southern point of the high potential zone for the rusty patched bumble bee and contains suitable habitat including the drainage ditch and woodland areas. The plans and special provisions will require a native seeding mixture (ie. seeding mixture No. 70) to be used on all vegetated side slopes west of Station 48+00. FWS concurrence of a may effect, not likely to adversely affect determination is currently pending. WisDOT construction supervisor will ensure fulfillment.</p>
<p>Per WDNR Final Concurrence later and follow up phone conversation on 10/25/18, the timber rattlesnake concerns and no longer valid since CTH N is being shifted to the south away from the rattlesnake den. No date restrictions or silt fence turnarounds are required.</p>	
Air Quality	No special or supplemental commitments required
Construction Stage Sound Quality	<p>Check all that apply:</p> <p><input checked="" type="checkbox"/> WisDOT Standard Specification 107.8(6) and 108.7.1 will apply.</p> <p><input type="checkbox"/> Special construction stage noise abatement measures will be required. Describe:</p>
Traffic Noise	No special or supplemental commitments required
Hazardous Substances or Contamination	No special or supplemental commitments required

Storm Water	Stormwater WPDES permit coverage will be obtained through coordination with WisDOT and WisDNR and the cooperative agreement. The WisDOT construction supervisor will ensure fulfillment.
Erosion Control	<p>Commitments Made</p> <p>Erosion control devices will 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 the stream banks, DNR recommends a biodegradable and non-netted mat be used (ie. Class I Type A Urban, Class I Type B Urban, or Class II Type C). In areas of hill cut greater than 30 feet vertically, terrace cut slopes at 30 foot vertical intervals and apply appropriate erosion control stabilization methods. The WisDOT construction supervisor will ensure fulfillment.</p>
Other	



October 10, 2018

John Bainter
Wis DOT
3550 Mormon Coulee Road
La Crosse WI 54601

Subject: DNR Final Concurrence

Project ID: 5496-00-04
Construction ID: 5496-00-74
STH 35 - STH 27
CTH N / STH 35 - Teter Lane
Crawford County
Township 8N Range 6W Section 31
FIN: 64079

Dear Mr. John Bainter :

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

Should the scope of the project change, consultation with the DNR must be reinitiated. Any additional project related work proposed under the Erosion Control Implementation Plan (ECIP) will be evaluated by DNR within 14 days for sensitive resources, potential impacts to the environment, and erosion and sediment control. Those proposed activities shown to be in compliance with Ch. 283, Wis. Stats will be added to the original application as an amendment. Further comments on the project may be presented at the preconstruction conference. DNR understands that project construction will be in conformance with our initial review letter, previous coordination, the DNR/DOT Cooperative Agreement, and the following:

Endangered Resources:

This project is located within a High Potential Zone (HPZ) for the Rusty Patched Bumblebee (RPBB). As previously coordinated seed mix #70 will be used west of Sta. 48+00 that provides approximately 1,500 feet of buffer between the HPZ.

No further actions for endangered resources are required by the DNR.

- ❖ *NHI Disclaimer: This review letter may contain NHI data, including specific locations of endangered resources, which are considered sensitive and are not subject to Wisconsin's Open Records Law. As a result, information contained in this review letter may be shared only with individuals or agencies that require this information in order to carry out specific roles in the permitting, planning, and implementation of the proposed project. Specific locations of endangered resources may not be released or reproduced in any publicly disseminated documents.*

Waterway and Floodplain:

Based on your computations, the Q_{100} discharge is 360 cfs, resulting in a predicted upstream water surface elevation of 648.64' feet. As this is slightly lower than the existing condition, DNR has no habitat concerns as it pertains to these predicted floodplain elevations. However, if the floodplain will be raised or lowered, in accordance with the DNR/DOT Cooperative Agreement, DOT must notify the Crawford County Zoning Administrator of this predicted upstream water surface elevation and provide a copy of the study, so that the spirit and intent of the procedure in chapter NR 116, Wis. Adm. Code are followed.

Transportation Construction General WPDES Permit: The DNR also has determined that construction site activities associated with the subject project will be regulated under ch. 283, Wis. Stats., ch. NR 216, Wis. Adm. Code, and in accordance with Wisconsin Pollutant Discharge Elimination System (WPDES) General Permit No. WI-S066796-01, for Department of Transportation Discharges of Storm Water Associated with Land Disturbing Construction Activity (Transportation General Permit or TGP). All erosion control and storm water management activities undertaken at the site must be done in accordance with the terms and conditions of the general permit. The DNR understands that the DOT will submit a project-specific ECIP as an amendment for DNR review within 14 days prior to starting construction. A Certificate of Permit Coverage is enclosed and must be posted in a conspicuous place on the construction site. When construction activities have ceased and the site has undergone final stabilization, a Notice of Termination (NOT) of coverage under the general permit must be submitted to the DNR.

- ❖ *NOTE: As the ECIP is developed, remember that all selected sites for waste and/or borrow must be an adequate distance from and not within any waterway, wetland, or floodplain. Selected sites must have erosion control measures installed to prevent offsite sediment runoff, both temporary and/or permanent. Additional environmental review will have to be conducted on selected sites that are not permitted (commercial) facilities. Non-permitted selected sites must be identified in the ECIP and will be subject to additional DNR review and coordination.*

If you have any questions, please contact this office at (608) 785-9115, or email at Karen.Kalvelage@wisconsin.gov.

Sincerely,

Karen Kalvelage

Karen Kalvelage
Environmental Analysis & Review Specialist

cc: Kerrie Hauser - ACOE
Ellery Schaffer – Jewell Associates
Jake Shedivy – Crawford County Zoning

ENCLOSURE: Certificate of Permit Coverage



CERTIFICATE OF PERMIT COVERAGE

UNDER THE WPDES CONSTRUCTION SITE STORM WATER RUNOFF PERMIT Permit No. WI-S066796-01

Under s. NR 216.455(2), Wis. Adm. Code, landowners of construction sites with storm water discharges regulated by the Wisconsin Department of Natural Resources (WDNR) Storm Water Permit Program are required to post this certificate in a conspicuous place at the construction site. This certifies that the site has been granted WDNR storm water permit coverage. The landowner must implement and maintain erosion control practices to limit sediment-contaminated runoff to waters of the state in accordance with the permit.

EROSION CONTROL COMPLAINTS should be reported to the WDNR Tip Line at **1-800-TIP-WDNR (1-800-847-9367)**

Please provide the following information to the Tip Line:

WDNR Site No. (FIN): 64079

Site Name: STH 35 - STH 27

Address/Location: CTH N / STH 35 - Teter Lane Town of EASTMAN

Additional Information:

Landowner: Wis DOT - 5496-00-04; 5496-00-74

Landowner's Contact Person: John Bainter

Contact Telephone Number: (608) 785-9729

Permit Start Date: October 10, 2018

By: *Karen Kalvelage*



REPLY TO ATTENTION OF
REGULATORY BRANCH

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

March 21, 2018

Regulatory File No. 2014-04080-KJH

Dennis Pelock
Crawford County Highway Department
21515 Highway 27
Seneca, Wisconsin 54654

Dear Mr. Pelock:

This correspondence is in regard to a pre-construction notification (PCN) by the Crawford County Highway Department requesting Department of the Army (DA) authorization to discharge fill material into approximately 6000 square feet of an unnamed tributary of the Mississippi River for the reconstruction of County Highway N (CTH N) (Project I.D. 5496-00-04). The project includes the replacement of a 48" culvert and 500 linear feet of stream realignment to accommodate the relocation of the CTH N and State Highway 35 intersection. The project site is in Section 36, Township 8 North, Range 7 West, and Section 31 and 32, Township 8 North, Range 6 West, in Crawford County, Wisconsin.

Certain minor activities are eligible for authorization by general permits, which include Nationwide (NWP) and Regional General (RGP) permits. Your project as shown on the enclosed figures labeled 2014-04080-KJH Page 1 of 3 through Page 3 of 3 is authorized as one single and complete linear project by the Transportation RGP, category 2.

In order for this verification to be valid, you must ensure the work is performed in accordance with the enclosed general permit terms, General Conditions, St. Paul District Regional Conditions, and the Wisconsin Department of Natural Resources' 401 Water Quality Certification Conditions.

You are also required to complete and return the enclosed Compliance Certification form within 30 days upon completion of your project in accordance with your permit conditions. Please mail the completed form to the Corps contact identified in the last paragraph.

This verification is valid until February 19, 2023, unless the general permit is modified, suspended, or revoked. If the work has not been completed by that time, you should contact this office to verify that the permit is still valid. Furthermore, if you commence or are under contract to commence this activity before the date of general permit expiration, modification, or revocation, you will have 12 months from the date of expiration, modification or revocation to complete the activity under the present terms and conditions of the general permit.

Our verification of this permit is based on the project description and construction methods provided in your PCN. You are cautioned that a change in the location or plans may invalidate this verification. Proposed changes should be coordinated with this office prior to construction. Failure to comply with all terms and conditions of this permit verification invalidates this verification and could result in a violation of Section 301 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. You must also obtain all local, State, and other Federal permits that apply to this project.

If you have any questions, please contact Kerrie J. Hauser in our La Crescent office at (651) 290-5903 or Kerrie.j.hauser@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Graser', with a long horizontal line extending to the right.

Rebecca M. Graser
Acting, Chief Southeast Section

Enclosures

cc: WDNR, Karen Kalvelage Transportation Liaison
Jewell Associates Engineers, Ellery Schaffer