

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# 1007-10-03 Construction ID# N/A, Contractor Selected Site	Federal Project IDs (if available) N/A	Legal Description (Township, Range, Section) T6N R12E Sec 29, SE ¼, NE ¼	County Dane
Project Name DOT Aggregate Selected Site		Project Termini/ Location Illinois state line – US 12/18	
Name of Route or Facility to be Improved I-39/90 Expansion Project	Facility Classification Interstate	Improvement Type Contractor Quarry & Material Processing	
Estimated Project Cost in Year of Expenditure \$ (include R/W Cost) \$0 (See description in Section II for past funding discussion)		Funding Source(s) (check all that apply) <input checked="" type="checkbox"/> State <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Local	
23 CFR 771.117(c) Project Type Number and Text (23) Federally-funded projects: (i) That receive less than \$5,000,000 of Federal funds; or (ii) With a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.			
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 WisDOT-owned ROW 0 Permanent Easement Acres 0 Temporary Easement Acres Fee Simple Acres			
Number of Buildings Acquired <input checked="" type="checkbox"/> None Vacant Buildings Occupied Buildings			
Name of Individual/ Firm Preparing this Form Jennifer Grimes WisDOT I-39 Corridor Team Environmental Coordinator		CE Preparation Date 5/8/17	Environmental Process Start Date ECIP Amendment #1 Approval: 4/6/17 ECIP Amendment #4 Approval: 4/28/17

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)

Jennifer Grimes

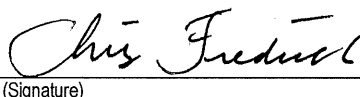
(Print Name)

5/15/17

(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)

Chris Fredrick

(Print Name)

5/15/17

(Date)

A determination that this project satisfies the criteria for an FHWA (c)-listed Categorical Exclusion (CE) does not relieve the applicant of the requirement to comply with other laws and regulations including, but not limited to, Section 404 of the Clean Water Act, Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act, and Section 4(f) of the US Department of Transportation Act. Coordination to comply with these other laws may require FHWA involvement. Furthermore, designation of this project as a (c)-listed CE does not relieve the requirement for WisDOT to coordinate with WDNR under the Cooperative Agreement. Any correspondence or documentation used to comply with Federal, State, or Local laws or regulations should be maintained in the project file and provided with this checklist upon request.

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](#).

(23) Federally-funded projects:

- (i) That receive less than \$5,000,000 of Federal funds; or
- (ii) With a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.

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

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

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

- ☐ (1) An acquisition of more than a minor amount of right-of-way or that would result in any residential or non-residential displacements
**In Wisconsin, a minor amount of right-of-way is defined as fee or PLE acquisition ≤ 1 acre/ mile on average for (c)(26) actions and ≤ 0.5 acre total for (c)(27)&(28) actions.*
- ☐ (2) An action that needs a bridge permit from the US Coast Guard
- ☐ (2) An action that does not meet the terms and conditions of a US Army Corps of Engineers nationwide or general permit under Section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act of 1899
- ☐ (3) A finding of "adverse effect" to historic properties under the National Historic Preservation Act
- ☐ (3) The use of a resource protected under 23 USC 138 or 49 USC 303 (Section 4(f)) except for actions resulting in *de minimis* impacts
**If a project includes a 4(f) de minimis determination or programmatic evaluation, the 4(f) documentation must be submitted to FHWA for review and approval before final approval of this CE.*
- ☐ (3) A finding of "may affect, likely to adversely affect" threatened or endangered species or critical habitat under the Endangered Species Act
- ☐ (4) Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions
**In Wisconsin, projects resulting in major traffic disruptions are those that require a Transportation Management Plan Type 3 or Type 4, as defined in FDM 11-50-5.*
- ☐ (5) Changes in access control
**In Wisconsin, changes in access control are any changes beyond minor longitudinal shifts in existing access. Creation of new access, removal of existing access, or substantial shifts in existing access disqualifies a project from using this checklist.*
- ☐ (6) A floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreation trails, bicycle and pedestrian paths); construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers

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

The Wisconsin Department of Transportation (WisDOT), in cooperation with the Federal Highway Administration (FHWA), is considering a proposal to allow existing WisDOT Right-of-Way (ROW) to be used as a Contractor Selected Site, referred to as the DOT Aggregate Selected Site. WisDOT Standard Spec 107.20 and Chapter TRANS 401.08 Wisconsin Administrative Code require the prime contractor to prepare and submit an Erosion Control Implementation Plan (ECIP) for a project and to identify any material sites that may be needed to complete the project. "Selected Sites" are chosen by the highway contractor for the purposes of hauling borrow and/or waste material for the adjacent highway reconstruction.

The DOT Aggregate Selected Site was submitted by the highway contractor as ECIP Amendment #1 and ECIP Amendment #4 for reconstruction of the northbound lanes of I-39/90, between the South Dane County Line and East Church Road (WisDOT ID # 1007-

11-75) to excavate and process rock for the purpose of producing select crushed material and base aggregate material; for asphalt and concrete batch plant siting; and for storage of materials. The site location has existing access adjoining normal highway ROW south of County Highway B in the town of Christiana, Dane County, Wisconsin (T6N R12E Sec 29, SE ¼, NE ¼) (See Attachment 1, DOT Aggregate Selected Site Location Map).

This CEC was requested by FHWA to process a Contract Modification Justification for a Selected Site on WisDOT ROW submitted by the highway contractor (See Attachment 2, FHWA Environmental Document Recommendation). Portions of the property are outside of the area evaluated by the Re-Evaluation & Supplementation of the Environmental Assessment document that was prepared for the I-39/90 Corridor Expansion Project (See Attachment 3, EA Re-Evaluation Environmental Impacts Map). The Re-Evaluation was signed by FHWA with an effective date of October 30, 2014. The document reaffirms FHWA's October 1, 2010 "Finding of No Significant Impact" (FONSI) for this corridor project. The use of this property has independent utility (it has a different purpose and need than the I-39/90 project) and does not restrict consideration of alternatives.

This parcel of land was acquired in the 1960s as part of the original I-90 project using state and federal funds. This "spur" of land was purchased for a future interchange with US 12 that was never ultimately constructed (See Attachment 4, DOT ROW Selected Site Plat). The entire parcel size is 27.5 acres, and is roughly funnel-shaped. The area proposed for the borrow site doesn't include the entire site; it is approximately 21 acres. There is farmland adjacent to the site to the north, east and south, and the interstate to the west. The site is landlocked to the public – there is an access to the property from the interstate, however it is only available for WisDOT use. At the time it was acquired, the property was farmland. Since it was acquired, it has naturalized to a certain degree with trees and brush growing more or less throughout the property. There is also a Dane County dump site on the property of construction debris.

The highway contractor is proposing to excavate approximately 200,000 cubic yards of rock for the purpose of producing 340,000 tons of select crushed material and base aggregate material required to construct the contract. Based on test holes drilled by the contractor, the contractor is proposing to excavate rock located within the project limits to construct a pond. The topsoil will be stripped and placed in a berm around the perimeter of the site. Clay overburden would be stripped and placed to the west of the proposed rock excavation. The contractor has proposed the west end of this site nearest the interstate for possible material storage, asphalt batch plant, and concrete batch plant location per WisDOT Standard Specification 107.9, specifically for the 1007-11-75 project. The site would be temporarily utilized to store construction materials for the project. The contractor proposes to fill 5' – 10' of material south of the proposed concrete plant location. Once this area is filled in, concrete aggregates will be stored in that location. The contractor will also be drilling a high capacity well onsite for water.

The highway contractor will prepare a blasting plan for the 200,000 cubic yards of rock excavation. The contractor will obtain blasting permits and all work will be done in accordance with State regulations.

Trucks and other equipment will not be accessing live lanes of interstate traffic when entering or leaving the site. As of 4/24/17, the northbound lanes are closed through the entire project area, and traffic is bi-directional on the southbound lanes.

The highway contractor will compensate WisDOT for rock credit and borrow dirt credit for the material being mined, which has the potential to save WisDOT money for hauling material, as well as finding a source of materials that minimizes traffic and trucking and does not exhaust other commercial reserves.

After the mining has been completed, the site will have a large pond and a fill site. At the conclusion of the 1007-11-75 project, the material removal operations and any other construction operations related to the 1007-11-75 project on the site will cease and the site will be graded to its proposed restoration configuration and restored and stabilized with topsoil, seed and mulch. It is assumed the site will not be suitable for farming or other agriculturally productive uses. The haul road and access to the interstate will be removed at the conclusion of the 1007-11-75 project, prior to opening the lanes to northbound traffic. The site will remain fenced and landlocked after construction is complete, and will have three abutting land-owners.

The Erosion Control Implementation Plan (ECIP) includes a detailed description of the highway contractor's work. ECIP Amendment #1 was approved by WisDOT on 4/6/17 and Amendment #4 was approved by WisDOT on 4/28/17. The purpose of Amendment #4 is to modify Amendment #1 to include a concrete and an asphalt plant and to provide for additional aggregate storage. Per WisDOT Standard Specification 107.9, it is the contractor's responsibility to obtain required permits and approvals through the ECIP process. (See Attachment 5, ECIP Amendment #1 and ECIP Amendment #4)

The highway contractor's schedule for use of the site is: May – November 2017.

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:

N/A

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.

PUBLIC INVOLVEMENT

Property owner notification letters were sent out on 4/13/17 that included both northbound and southbound adjacent property owners between the Dane/Rock County line and East Church Road, and included an invitation to a construction kick-off informational meeting. Letters were also sent to Local Officials (Dane County, town of Christiana, town of Albion, and city of Edgerton), WI State Patrol, Dane and Rock County Sheriffs, and local EMS providers. (See Attachment 6, Property Owner Letter)

An informational meeting for construction activities was held on 4/25/17. Maps and displays were available for viewing, as well as information on contractor operations, schedule, staging and material sites. WisDOT staff and the project contractor were available to address questions from attendees. Three property owners came to the Open House format meeting. There were two property owners that asked general questions about the project regarding fencing replacement and final property acreage. One adjacent property owner to the DOT Aggregate Selected Site had general questions for the contractor about sourcing materials on their property.

As construction continues on this section of Interstate, WisDOT and consultant construction staff will regularly inform property owners of the operations and any impacts to their property due to construction activities. Staff will continue to respond and/or meet with property owners in a timely manner to properly address and mitigate their questions or concerns.

AGENCY COORDINATION

WDNR

There are no wetland impacts anticipated at the site based on a site tour with I-39 Corridor Management Team staff (Bob Meurer, John Voorhees, Jamie Brud and Jennifer Grimes) and WDNR (Eric Heggelund) on 2/7/17. WDNR has reviewed and provided comments on the ECIP and ECIP Amendments that discuss the proposal from the property.

The WDNR comment and concurrence response letter was received on 4/26/17. (See Attachment 7, WDNR Concurrence Letter)

Based upon a review of the Natural Heritage Inventory (NHI) and other DNR records dated April 26, 2017, no Endangered Resources or suitable habitat that could be impacted by this project are known or likely to occur in the project area or its vicinity. There are no northern long-eared bat roost sites, hibernaculum or observances identified on the NHI database within 2 miles of the project site. There are no rusty patched bumble-bee observances for greater than 2 miles from the project site and the site is not identified as occurring within the high potential zone for the species.

Based on the information provided, the project design addresses the environmental issues raised through the coordination process. WDNR has determined that the water quality, floodplain and wetland protection objectives of the DNR/DOT Agreement have been met.

USFWS

WisDOT, on behalf of FHWA, submitted information and an effect determination to fulfil Section 7(a)(2) responsibilities under the ESA pertaining to potential impacts to the following species: Whooping Crane, Higgins Eye Pearly Mussel, Eastern Prairie Fringed Orchid, Mead's Milkweed, Prairie brush-clover, Northern Long-eared Bat, and the Rusty Patched Bumble Bee for the DOT Aggregate Selected Site.

WisDOT intends to rely on the programmatic biological opinion for the Northern Long-eared Bat, developed for the final 4(d) rule and the submittal to USFWS on 3/9/17 to satisfy Section 7(a)(2) responsibilities, as outlined in the streamlined consultation framework. Because no response was received from USFWS as of April 10, 2017, the determination as submitted by WisDOT satisfies the Section 7 Consultation requirements for the DOT Aggregate Site for the Northern Long Eared Bat. The selected site tree clearing will not result in prohibited take of the NLEB and no additional coordination is needed with USFWS.

In the table describing the effect findings related to the federal species, all remaining species received a *no effect* determination, except that a *may affect – not likely to adversely affect* finding was prepared for the Rusty Patched Bumble Bee. The 30-day evaluation period is only applicable for the NLEB under the 4(d) rule streamlined consultation framework; it does not apply to any other species at this time. No response was received as of 4/27/17, and a 2nd request was submitted to USFWS. Because there are no known occurrences or high potential areas that represent locations where there is a high potential for the species to be present

along the I-39 Corridor, USFWS responded on 4/27/17 that they would consider the site to have *no effect* on the Rusty Patched Bumble Bee and no additional coordination is needed with USFWS. (See Attachment 8, USFWS Federal Species Effect Determination).

SHPO

The Section 106 documentation was sent to SHPO on 4/13/17. SHPO concurred with the finding of “No historic properties (historical or archaeological) in the Area of Potential Effects (APE) and signed the Section 106 document on 4/20/17. (See Attachment 9, Section 106 Review Form)

TRIBAL COORDINATION

A tribal notification letter was sent to tribes on 4/13/17 notifying them of the federal undertaking and request for comments for the Site. No responses were received from any of the Tribes. (See Attachment 10, Native American Tribal Letter)

BOA

Coordination is not required. The project is not located within 5 miles of a public or military use airport.

VII. Mitigation & Commitments – List any environmental mitigation measures or commitments that will be incorporated into the project. Any items listed below must be incorporated into the project plans and contract documents. *Attach a copy of this page to the design study report (DSR) and the plans, specifications, and estimate (PS&E) submittal package.*

Environmental Factor	Commitment (If none, include 'No special or supplemental commitments required.')
General Economics	No special or supplemental commitments required.
Business	No special or supplemental commitments required.
Agriculture	No special or supplemental commitments required.
Community or Residential	No special or supplemental commitments required.
Indirect Effects	No special or supplemental commitments required.
Cumulative Effects	No special or supplemental commitments required.
Environmental Justice	No special or supplemental commitments required.
Historic Resources	No special or supplemental commitments required.
Archaeological/Burial Sites	No special or supplemental commitments required.
Tribal Coordination/Consultation	No special or supplemental commitments required.
Section 4(f) and 6(f) or Other Unique Areas	No special or supplemental commitments required.
Aesthetics	No special or supplemental commitments required.
Wetlands	No special or supplemental commitments required.
Rivers, Streams and Floodplains	No special or supplemental commitments required.
Lakes or other Open Water	No special or supplemental commitments required.
Groundwater, Wells and Springs	In accordance with Sections NR 812.09(4)(a) & (b), Wisconsin Administrative Code, WDNR approval is necessary for the construction and operation of a high capacity well system. A high capacity well permit must be obtained from DNR's Water Use Program by the highway contractor prior to beginning work at the site. The Highway Contractor is responsible for all costs associated with the permit. The high capacity well will be capped and abandoned when project is complete. The Highway Contractor and Construction Project Leader will be responsible for ensuring the fulfillment of this commitment.
Upland Wildlife and Habitat	No special or supplemental commitments required.
Coastal Zones	No special or supplemental commitments required.
Threatened and Endangered Species	In accordance with the final 4(d) rule issued for the northern long-eared bat, WisDOT has determined that the proposed activity, will not result in prohibited take of the NLEB. The activity involves tree removal, but will follow the following conservation measures: tree removal will not occur within 0.25 miles of a known hibernacula, nor will the activity remove a known maternity roost tree or any other tree within 150 feet of a known maternity roost tree from June 1 – July 31. The Highway Contractor and Construction Project Leader will be responsible for ensuring the fulfillment of this commitment.

Air Quality	An Air Pollution Control Permit must be obtained from WDNR's Air Management Program by the highway contractor prior to beginning work at the site. The Highway Contractor is responsible for all costs associated with the permit. The Highway Contractor and Construction Project Leader will be responsible for ensuring the fulfillment of this commitment.
Construction Stage Sound Quality	No special or supplemental commitments required.
Traffic Noise	No special or supplemental commitments required.
Hazardous Substances or Contamination	The existing site has been used by Dane County Highway Department to dump concrete and waste in the past. If contaminated soil is encountered, the contractor will contact the WisDOT Project Leader and WDNR. The Highway Contractor and Construction Project Leader will be responsible for overseeing site excavation in the dump areas and immediately reporting any contaminated soil encountered to the I-39 Corridor Management Team Environmental Coordinator.
Storm Water	No special or supplemental commitments required.
Erosion Control	Permanent and temporary erosion control measures will be implemented during construction. Construction site erosion control will be part of the projects design and construction as set forth in TRANS 401 Wis. Adm. Code and the WisDOT/WDNR cooperative agreement. The Erosion Control Implementation Plan (ECIP) has been completed, and will be adhered to during construction. The Construction Project Leader will be responsible for overseeing erosion control implementation.
Other: Blasting	County and local zoning bodies are responsible for mine siting requirements and regulation. The contractor will obtain blasting permits and all work will be done in accordance with local, county and state regulations. The Highway Contractor and Construction Project Leader will be responsible for ensuring the fulfillment of this commitment.
Other: Site Restoration	All fill areas will be leveled and will have final stabilization measures in place once the slopes are completed. The southern fill area upstream from the drainage way is of special concern, this area will be monitored by the I-39 Corridor Management Team Drainage Engineer and WDNR. Though the site will be completed in November 2017, per the schedule, the highway contractor will be responsible for returning in spring and early summer 2018 to complete restoration and request site closure from WisDOT. The Construction Project Leader and I-39 Corridor Management Team Drainage Engineer will be responsible for approving final site acceptance.

Attachment 1: DOT Aggregate Selected Site Location Map

Attachment 2: FHWA Environmental Document Recommendation

Attachment 3: EA Re-Evaluation Environmental Impacts Map

Attachment 4: DOT ROW Selected Site Plat

Attachment 5: ECIP Amendment #1 and ECIP Amendment #4

Attachment 6: Property Owner Letter

Attachment 7: WDNR Concurrence Letter

Attachment 8: USFWS Federal Species Effect Determination

Attachment 9: Section 106 Review Form

Attachment 10: Native American Tribal Letter

Attachment 1: DOT Aggregate Selected Site Location Map



WisDOT-owned Right-of-Way;
south of County Highway B in the town of
Christiana, Dane County, Wisconsin
(T6N R12E Sec 29, SE ¼, NE ¼)

Attachment 2: FHWA Environmental Document Recommendation

From: Bacher-Gresock, Bethaney (FHWA)
To: [Schauder, Kimberly - DOT](#); [Vesperman, John - DOT](#); [Scudder, Dan - DOT](#); [Cox, Carrie L - DOT](#); [Grimes, Jennifer - DOT](#); [Blankenship, Tracey](#); [Olson, Joseph - DOT](#); [Varney, Anna](#); [Jones, Meghan \(FHWA\)](#)
Cc: [DOT I39 Project](#)
Subject: FHWA Commentsd on I-39/90 site - Environmental Documentation
Date: Wednesday, April 12, 2017 10:07:39 AM

Based on the information provided thus far, FHWA understands that there is a property along the I-39/90 project corridor that was previously purchased with federal funds for a future transportation purpose. This property was not included in the environmental analysis for the current I-39/90 project. It is now being proposed for use by Hoffman Construction.

Based on the information FHWA, feels that the use of this property has independent utility (it has a different purpose and need than the I-39/90 project) and does not restrict consideration of alternatives.

It appears that the use of the property may meet the definition of NEPA categorical exclusion pursuant to 23 CFR 771.117(a) and that there are not unusual circumstances as described in 23 CFR 771.117(b). If in the course of reviewing the environmental conditions, something changes, we may need to revisit the categorical exclusion determination. I would recommend classifying the project as a categorical exclusion 23 CFR 771.117(c)(23) Federally-funded projects, project documentation should support this classification. Please ensure the project documentation includes discussion of applicable laws and regulations such as ESA, NHPA, public involvement, appropriate mitigation, disposition of the property once operations have concluded, etc.

Please do not hesitate to contact myself or Anna Varney if we can be of additional assistance.

Regards,
Bethaney

Bethaney Bacher-Gresock

Major Projects - Environmental Manager
FHWA - Wisconsin Division Office
City Center West
525 Junction Road, Suite 8000
Madison WI 53717

(p)608-662-2119
(f) 608-662-2121

-----Original Appointment-----

From: Schauder, Kimberly - DOT [<mailto:Kimberly.Schauder@dot.wi.gov>]
Sent: Tuesday, April 11, 2017 2:20 PM

To: Schauder, Kimberly - DOT; Vesperman, John - DOT; Scudder, Dan - DOT; Cox, Carrie L - DOT; Grimes, Jennifer - DOT; Blankenship, Tracey (FHWA); Olson, Joseph - DOT; Varney, Anna (FHWA); Bacher-Gresock, Bethaney (FHWA)

Cc: DOT I39 Project; 'kschauder@gmail.com'

Subject: I-39/90 Environmental Documentation

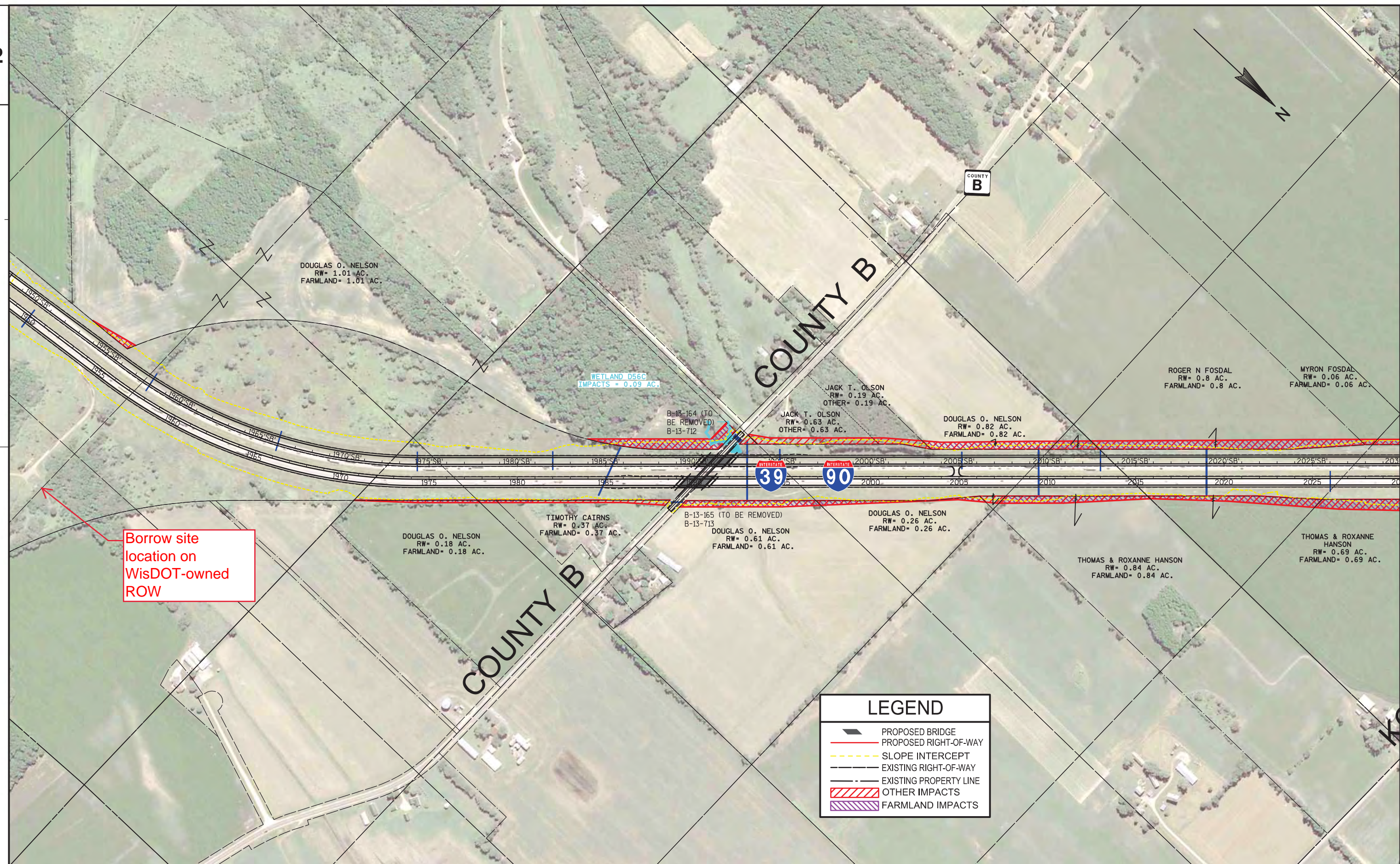
When: Wednesday, April 12, 2017 9:00 AM-10:30 AM (UTC-06:00) Central Time (US & Canada).

Where: DOT TEL DTSD SWB TConf2 877-848-7030 Access 3596862; DOT CR DTSD SW EDG Lk Kegonsa

Your participation is requested to discuss the environmental documentation necessary for the proposed site by Hoffman Construction.

Thank you.

Attachment 3: EA Re-Evaluation Environmental Impacts Map



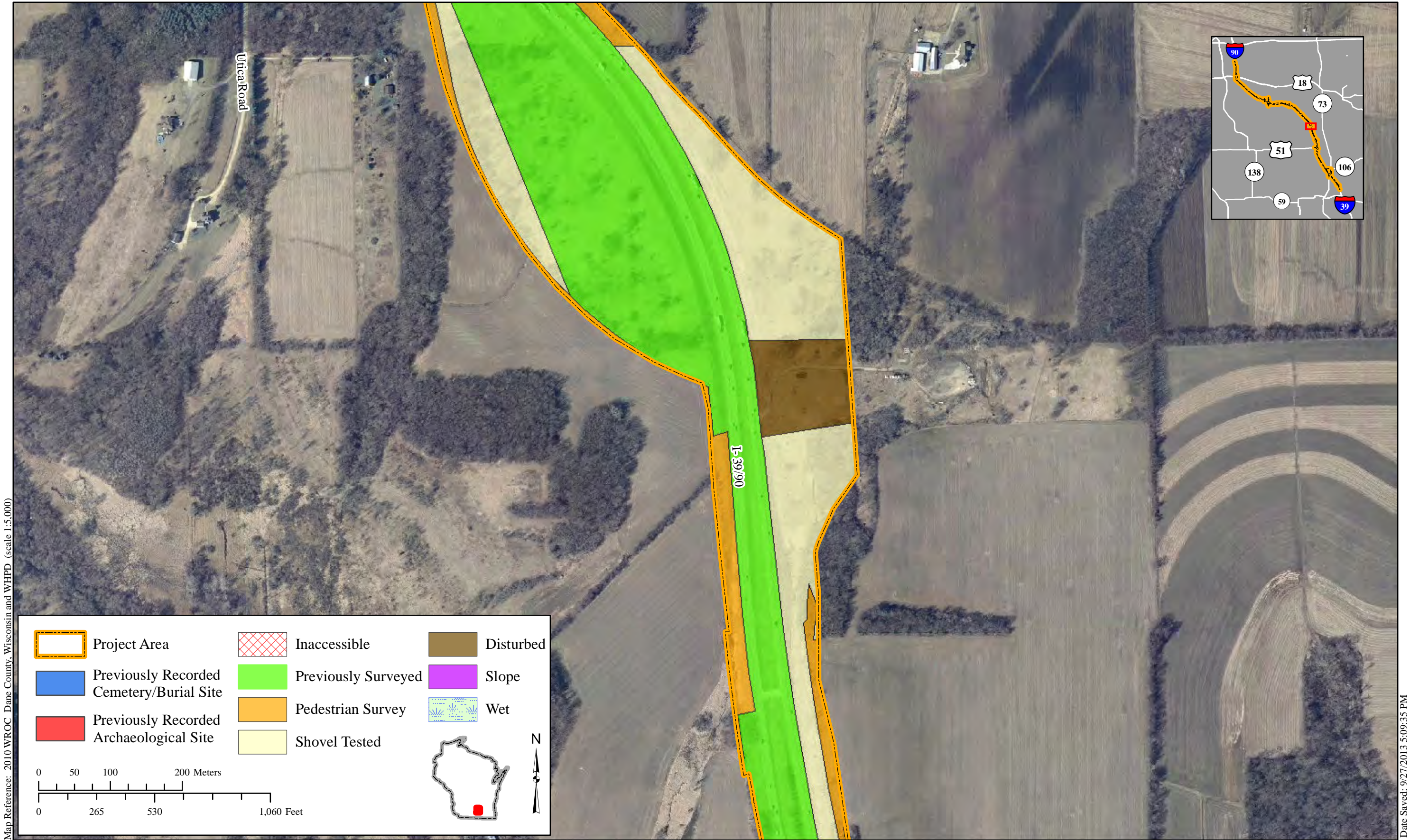
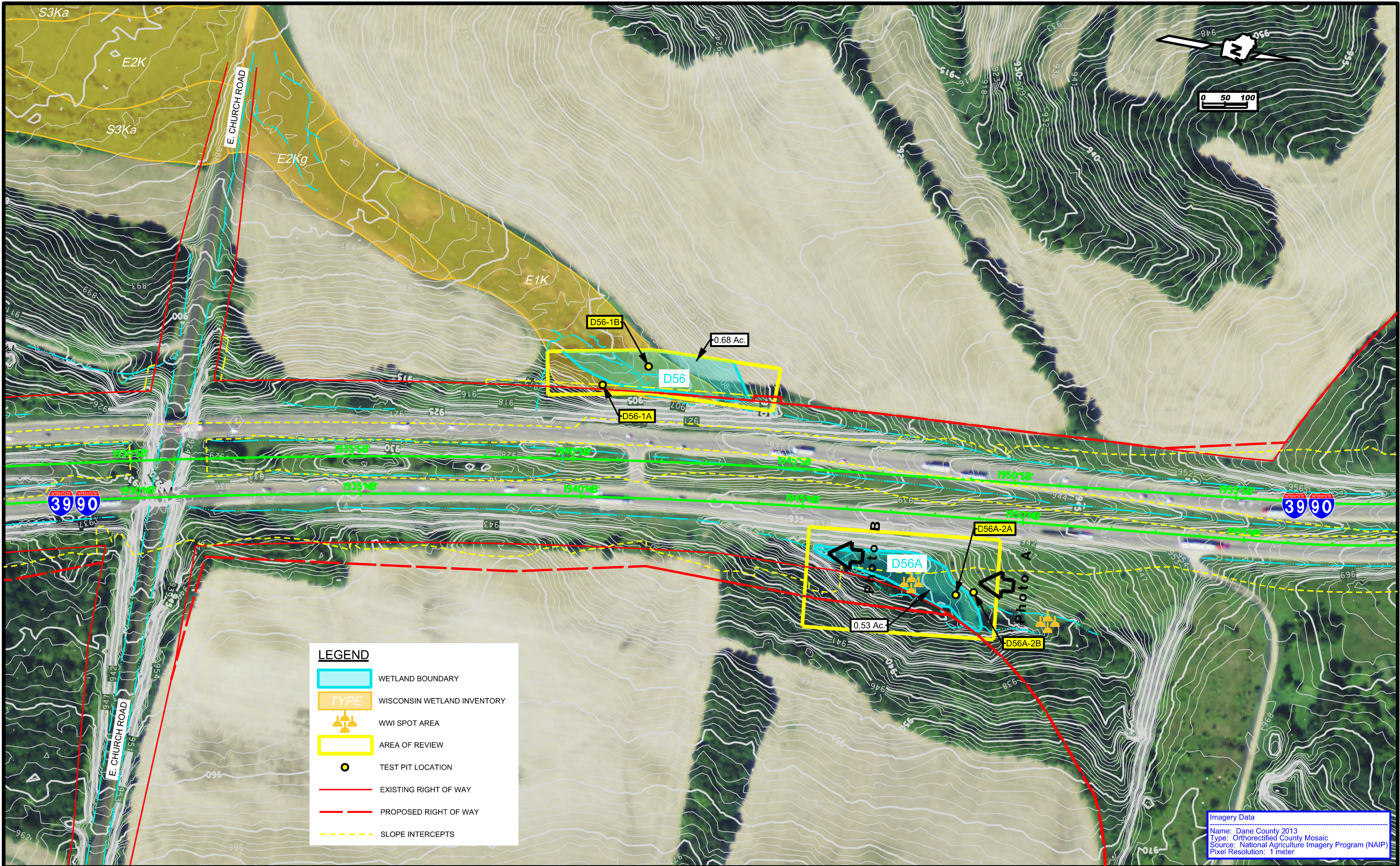


Figure 21. Project Area, CCRG Survey Coverage and Intersecting Previously Identified Archaeological and Cemetery/Burial Sites

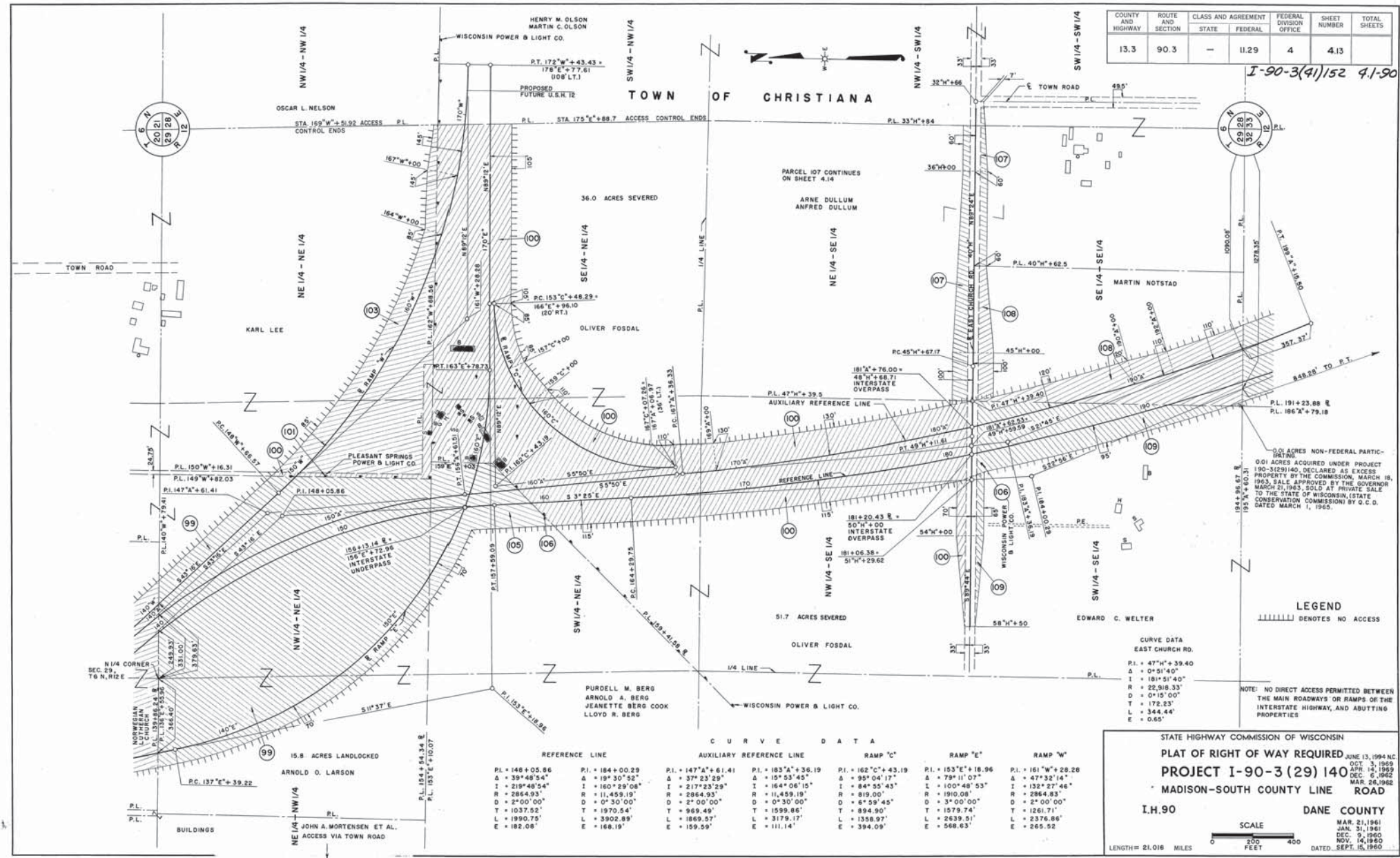


Imagery Data
Name: Dane County 2013
Type: Orthorectified County Mosaic
Source: National Agriculture Imagery Program (NAIP)
Pixel Resolution: 1 meter

Attachment 4: DOT ROW Selected Site Plat

COUNTY AND HIGHWAY	ROUTE AND SECTION	CLASS AND AGREEMENT	FEDERAL DIVISION OFFICE	SHEET NUMBER	TOTAL SHEETS
13.3	90.3	-	11.29	4	4.13

I-90-3(41)/52 4.1-90



CURVE DATA			
REFERENCE LINE	AUXILIARY REFERENCE LINE	RAMP "C"	RAMP "E"
P.L. = 148+05.86 Δ = 39°48'54" I = 219°48'54" R = 2864.93' D = 2°00'00" T = 1037.52' L = 1990.75' E = 182.08'	P.L. = 147°A+61.41 Δ = 37°23'29" I = 217°23'29" R = 2864.93' D = 2°00'00" T = 969.49' L = 1970.54' E = 159.59'	P.L. = 183°A+36.19 Δ = 15°53'45" I = 164°06'15" R = 11,459.19' D = 0°30'00" T = 1599.86' L = 3179.17' E = 111.14'	P.L. = 162°C+43.19 Δ = 95°04'17" I = 84°55'43" R = 819.00' D = 6°59'45" T = 894.90' L = 1358.97' E = 394.09'
RAMP "W"			
P.L. = 161°W+28.28 Δ = 47°32'14" I = 132°27'46" R = 2864.83' D = 2°00'00" T = 1261.71' L = 2376.86' E = 265.52'			

STATE HIGHWAY COMMISSION OF WISCONSIN
PLAT OF RIGHT OF WAY REQUIRED
PROJECT I-90-3 (29) 140
MADISON-SOUTH COUNTY LINE ROAD
I.H.90
DANE COUNTY
 SCALE
 0 200 400
 FEET
 LENGTH = 21.016 MILES
 DATE: SEPT. 15, 1980
 JUN. 13, 1994 NC
 OCT. 31, 1989
 APR. 14, 1989
 DEC. 6, 1982
 MAR. 20, 1982
 MAR. 21, 1961
 JAN. 31, 1961
 DEC. 9, 1960
 NOV. 14, 1960

Attachment 5: ECIP Amendment #1 and ECIP Amendment #4



Wisconsin Department of Transportation

111 Interstate Blvd., Edgerton WI 53534-9399 (608) 884-1234 FAX (608) 884-1220 www.dot.wisconsin.gov



6 April 2017

Hoffman Construction Company
123 County Road A
Black River Falls, WI 54615

Attention: Calvin Turner: Phone: 715-896-7850, email: cturner@hoffcons.com

RE: Project 1007-11-75 ECIP Amendment 1 – Selected Sites
Northbound Main Line I-39/90, Dane County Line to E. Church Street
IH-39
Illinois State Line to Madison
Dane County

Amendment 1, submitted March 7, 2017, to the Erosion Control Implementation Plan (ECIP) regarding Project 1007-11-75, with revisions submitted on March 20, 2017 and April 4, 2017, has been considered. This amendment request is to include two selected sites for the project.

The ECIP amendment **can be approved** as long as the following concerns are understood and implemented.

- The contractor constructs the site from the plans and applies the erosion control practices described in the plans and ECIP amendment and at the direction of the engineer.
- Erosion control inspections should be conducted at least once per week; within 24 hours of every 0.5" rain event; at the change of staging; and at the end of the project.
- Control any fugitive dust.
- Temporary seed topsoil stockpiles after the topsoil is stripped from the site.
- The contractor shall clean up or remove off-site sediment discharged by construction or maintenance activity at the end of each work day (Trans 401.06).
- Remove temporary erosion control measures as areas are stabilized or remove at the direction of the engineer.
- This selected site is only to be used for **this** WisDOT project. If you or other contractors are wasting or borrowing at this site for other projects, you will need to obtain an NR216 construction permit from the WDNR.

Part B. Selected Sites:

The selected sites you describe are private sites. If any additional sites you may select are not, contact Lynn Cloud, (608) 266-0099 at the Bureau of Technical Services – Environmental Documents Section (BTS-EDS) at least 10 working days in advance to schedule an archaeological literature review of any proposed borrow site, batch plant site, waste site or staging area.

The proposed sites are:

- **DOT Aggregate Selected Site**, Off I-39/90, Albion Township, Dane Co., T6N R12E Sec 29, SE ¼, NE ¼, (Private) (**Approved**)
 1. Activity: Upon approval – November 15, 2017.



Wisconsin Department of Transportation

2101 Wright Street Madison, WI 53704-2583 (608) 246-3800 FAX (608) 246-7996 www.dot.wisconsin.gov



2. Excavation can start once the erosion control practices are in place. Construction will be completed by 11/18/17. Restore the fill site as soon as the site is filled to the proposed grades, or by 11/18/17.
 3. Estimated borrow quantity: 200,000 CY
 4. Estimated total area – 17 acres. Total disturbed area – 13.5 acres.
 5. **Work cannot begin until the contract modification is processed.**
 6. **The contractor must submit a blasting plan to the department for approval prior to beginning blasting.**
 7. **Do not use silt fence to trap sediment in channelized flow.** Appropriate practices include stone, hay bale or fiber log ditch checks.
- **Crazy Acres Hillside Selected Site**, 720 Hillside Road, Albion Township, Dane Co., T6N R12E Sec 15, SW ¼, SW ¼, T6N R12E Sec 16, SE ¼, NE ¼ (Private) (**Approved**)
 1. Activity: Upon approval – November 15, 2017.
 2. Excavation can start once the erosion control practices are in place. Construction will be completed by 11/18/17. Restore the fill site as soon as the site is filled to the proposed grades, or by 11/18/17.
 3. Estimated borrow quantity: 200,000 CY
 4. Estimated total area – 16 acres. Total disturbed area – 9 acres.
 5. If tree clearing becomes necessary, contact the department for approval prior to removing any trees. Allow at least one month for the approval process through US Fish and Wildlife.
 6. Before beginning work on the site, locate the estimated edge of wetland line using either staking or flags. Then, contact Bob Meurer, who will request that the DNR review and adjust as needed the proposed edge of wetland. From that revised line, locate the silt fence that will be the edge of work 30 feet away from the wetland edge line, for the buffer space. **Do not begin work until the DNR has reviewed the wetland edge line.**

Any changes to the final, approved ECIP must be submitted as amendments to the ECIP and approved prior to their implementation on the project. Be reminded that WisDOT and WDNR have **14 days for review** of these implementation plans.

The Department of Natural Resources concurs with this amendment (5 April 2017). The above comments need to be addressed at the onset of and during construction.

Contact me with any questions or concerns regarding this review.

Thank you.

- ☒ Accepted
☐ Conditionally Accepted
☐ Not Accepted

- ☒ Approved
☐ Conditionally Approved
☐ Not Approved

John Voorhees
CMT Drainage Engineer

Chris Fredrick, Project Manager
WisDOT I-39/90 Corridor



Wisconsin Department of Transportation

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AECOM – Middleton, WI
E-mail: john.voorhees@aecom.com
608-828-8170

Edgerton, WI 53534
E-mail: christopher.fredrick@dot.wi.gov
Office: 608 -884-7130
Cell: 608-516-7129

cc: Eric Heggelund, WDNR Environmental Coordinator (eric.heggelund@wisconsin.gov)
Bob Meurer, WisDOT Project Engineer (bob.meurer@dot.wi.gov)
Brad Schultz, WisDOT SW Region Stormwater Engineer (brad.schultz@dot.wi.gov)
Christine Krall, WisDOT SW Region Stormwater Engineer (christine.krall@dot.state.wi.us)
Jennifer Grimes, Corridor Environmental Coordinator (jennifer.grimes@dot.state.wi.us)
Nate Lipinski, AECOM, (nathan.lipinski@aecom.com)
Jeremy Balousek, Dane County Land & Water Resources (balousek@countyofdane.com)

B. Erosion Control Implementation Plan Requirements - Selected Sites

Project ID: 1007-11-75 Highway: IH 39 County: Dane

Name of Road/Project: S. Dane City Line to E. Church Rd, NB

Type of Work: Removals, grading, concrete pavement, HMA Pavement, base aggregate dense, select crushed, select borrow, storm sewer, B-13-701, B-13-705, B-13-708, B-13-711, S-13-396, S-13-398, C-13-3076, C13-3078

Prime Contractor: Hoffman Construction Company

Address: 123 CTH A Black River Falls, WI 54615

Contact Person: Calvin Turner Phone: 715-896-7850

DOT Project Manager: Chris Fredrick Project Leader: Bob Meurer

The ECIP shall also include, at a minimum, a narrative and pictorial description for each of the selected sites, if any, and attendant erosion control and storm water management measures for the selected sites. If the combined area of the project site and all selected sites disturbs 1 or more acres as determined by WisDOT the following information is required for **each** selected site.

If a selected site is used prior to WisDOT approval, it is not covered under the Cooperative Agreement between DOT and DNR and all applicable permits need to be obtained before the selected site can be used.

1. Selected Site Name: WIS DOT
Address: _____
City/Village/Town: Albion County: Dane
Township Range Section 1/4 Sect. 1/4-1/4 Sect. 29-6-12 SE1/4 NE1/4
Include a location map, i.e. a plat map.
2. Principal contact of the contractor or other person responsible for installation, maintenance, and removal of erosion control and storm water management measures at the selected site.
Name: Stewart Hassler Phone: 608-438-0234
Firm: Highway Landscapers
123 South Grove Avenue Jefferson,
Address: WI 53549
3. Is this a commercial pit? No If no, continue to #4
If yes, Name of the _____
pit: _____
Contact for the _____ Phone: _____
pit: _____
Include cover sheet of NR 216, NR 135 or COMM permit displaying the permit number, CUP number and expiration date.
Will the waste or borrow be in the permitted area? **NO**
If yes then end of Part B for this selected site. If no then complete remainder of Part B.

4. Have applicable permits been obtained? **No Permits needed. Clearing & Grubbing will be done before 4/1/17.**
5. Has a contractor notified the landowner of State Statute 84.06(12) Borrow Sites, subparagraphs (b) 4 and (b) 5, which state that the landowner is responsible for compliance with local noise abatement, landscaping, and restoration ordinances? **Yes**
6. Is the selected site on tribal land? **No**
7. Has the Archaeological Review (Form DT1919) been sent to BEES? **Yes**
What was the Bureau recommendation? Have not received a response yet _____
Survey Recommended _____ High Potential _____ OK to Proceed **X** _____
8. Construction activity dates at the selected site: **Start: 3/13/17 Complete: 11/18/17**
9. A narrative description of the selected site as it exists before construction, the nature of the activities to be performed at the site including approximate quantity of waste/borrow material, and land use anticipated after restoration to the site.

The existing site was used by the County to dump concrete and waste in the past. The topsoil will be stripped and placed in a berm around the perimeter of the site. The overburden will be stripped and placed over the concrete pile area shown in the plans to restore the site. We plan on mining 200,000 CY of Rock out of the proposed location. We will also be hauling marsh and excavation below subgrade back into the pond. Any disturbance near the existing ravine, HCC will protect these areas with the appropriate erosion control practices. If contaminated soil is encountered, we will contact the Project Leader and WIS DNR. A blasting plan will be submitted and neighbors will be notified before any activity starts.

10. A description of the intended sequence of major land disturbing activities at the selected site.

The following sequence of major land disturbance as follows:

March: Erosion Control

April: Strip overburden and fill

May – October: Blasting, Crushing & Loading

November: Restoring the site

11. Estimated total area of selected site: **17** Total disturbed area: **13.5**
12. Immediate receiving waters: **ROW Swale** _____
(Attach FEMA Floodplain maps)
13. Runoff coefficients at the selected site. (Attach the Runoff Coefficient Table)
Supply the following estimates: Site slope before construction: 6:1 After: 3:1

The runoff coefficients will be .25

14. Site map(s) including: (See Trans 401.08(2)(b)(11) for details).

- a. Boundaries of the site and areas of soil disturbance.
- b. Existing topography and drainage patterns, roads and surface waters.
- c. Drainage patterns and approximate slopes anticipated after major grading activities.
- d. Location of major structural and non-structural erosion control and stormwater management practices.
- e. Location of areas where stabilization will be employed, including but not limited to vegetation, following construction or maintenance activities.
- f. Area and extent of wetland acreage on the site, whether disturbed or not.
- g. Locations where storm water is discharged to a surface water or wetland.
- h. Location of any internal haul roads.

(Recommend using USGS maps, Orthophotos, SCS Soils maps, or equivalent.)

15. A description of appropriate erosion control and storm water management measures that will be employed at the selected site to prevent sediments and pollutants from reaching waters of the state, including wetlands. The plan shall clearly describe the appropriate best management practice for each major activity identified and the timing during the construction process that the measures will be implemented. The description of best management practices shall include:

- a. Description of permanent or temporary erosion control and storm water management measures. Plans shall ensure the preservation of existing vegetation where practical.

Silt fence will be placed around the perimeter of the site and a topsoil berm will also be stored around the perimeter to aid runoff water. Upslope tracking will be performed as described in the Erosion Control Special Specification No. 11.

- b. Description of structural practices to divert runoff away from exposed soils, to store flows or to otherwise limit runoff and the discharge of pollutants from the site.

The runoff will be controlled by silt fence and a topsoil berm that will flow towards the existing swale.

- c. Management of overland flow at the site.
The flow of runoff will be monitored and any areas not controlled by silt fence will be addressed with adding BMP's. This would most likely be additional silt fence due to the relatively flat gradient. If there is any erosion from channelized flow, Rip Rap and fabric will be installed. If any dewatering is needed, HCC plans on using a 3" Pump with a discharge of 110 GPM and Type 1 Soiltex Sediment bag.

- d. Trapping of sediment in channelized flow.
We will utilize silt fence to trap any sediment in the channelized flow. The existing swales will not be impeded, therefore there will not be a concentration of flow.

- e. Staging construction to limit bare areas subject to erosion.
We will be utilizing this site throughout all 4 stages.

- f. Protection of downslope drainage inlets where they occur.
NA

- g. Minimization of tracking at the site.
There should be no tracking since the access is directly onto DOT ROW. If it

determined that a tracking pad is needed, HCC will field fit the tracking pad as deemed necessary.

- h. Clean up of off-site sediment deposits.
NA
- i. Proper disposal of building and waste material at the site.
NA
- j. Stabilization of drainage ways.
NA
- k. Installation of permanent stabilization practices as soon as possible after final grading.
Upon completion of the selected site, we will place topsoil and use temp seed and mulch to stabilize the site.
- l. Minimization of dust to the maximum extent practical.
A water truck will be on site to minimize any dust.
- m. Stabilization of the disturbed portions of the site.

We will use temp seed on disturbed areas that are open for more than 2 weeks.

16. A description of the procedures to maintain vegetation, best management practices and other protective measures, in good and effective operating condition. If the selected site will remain open for more than 2 weeks without construction activities (i.e. over-winter), how will the site be stabilized and how often will it be inspected?

The site will be inspected weekly or after a rain event of ½ "or more. The site will be Graded to its proposed restoration configuration at the end of the project. The project is scheduled to be completed in one calendar year so no winterization will be needed.

17. Existing data describing the surface soil, subsoils, and depth to groundwater at the selected site. (Refer to Soil Conservation Service's County Soil Survey Book or equivalent where available.)

Boring logs indicated that the areas that HCC will be mining are dry.

C. Amendments

The contractor shall follow the procedure outlined in Trans 401.08(3) for all amendments.

The ECIP shall be amended when there is a change in design, construction, operation or maintenance at a project or selected site that has the reasonable potential for a discharge to waters of the state and that has not been addressed in the ECIP; or when the best management practices required by the plan fail to reduce adverse impacts to waters of the state caused by a discharge.

Amendments are subject to the written approval of the Department of Transportation after consultation with the DNR.

Calvin Turner

From: Cloud, Lynn - DOT <Lynn.Cloud@dot.wi.gov>
Sent: Wednesday, January 11, 2017 2:53 PM
To: Calvin Turner
Cc: Brian Aebly; Shawn Hoffman; Kevin Kaufman; Abu Al Eis, Khader - DOT; Grimes, Jennifer - DOT; Schultz, Brad J - DOT
Subject: Borrow/waste: 1007-11-75

Hi Calvin. The archival and literature reviews are complete (12 sites total). Eleven of the 12 sites are clear for use and I will follow up with a separate email providing the paperwork. The final site is state owned, and therefore, archaeological field survey would be required. When is your proposed date of need of that site?

Khader/Jenny/Brad, Do you have any issues or concerns with use of this WisDOT owned site?

Background information:

This selected site will require archaeological field survey since it is on state owned land. At this time, the ground and soil conditions are not favorable for a archaeological fieldwork. Once the survey conditions have improved (i.e. the ground is no longer frozen and there is no snow cover) the survey can be completed. When do you hope to use this site?

Additional Information:

CMM Chapter 1-58.1:

The guidelines for conducting archaeological studies of off-site construction activities fall into two categories: those in which an archaeological field survey is required and those where a literature and archival search is required.

Archaeological field surveys are required for off-site construction activities involving borrow, batch plants, haul roads, disposal areas, etc., in the following instances:

1. WisDOT's contract specifies the source of material.
2. The off-site activity occurs on state-owned land.

From: Calvin Turner [mailto:cturner@hoffcons.com]
Sent: Friday, January 06, 2017 2:37 PM
To: Cloud, Lynn - DOT <Lynn.Cloud@dot.wi.gov>
Cc: Brian Aebly <baebly@hoffcons.com>; Shawn Hoffman <shoffman@hoffcons.com>; Kevin Kaufman <kkaufman@hoffcons.com>
Subject: RE: Archaeological Survey

Lynn,

Please see DT1919 form Dot ROW.

Thanks,

Calvin Turner

Calvin Turner

From: Cloud, Lynn - DOT <Lynn.Cloud@dot.wi.gov>
Sent: Thursday, March 23, 2017 7:39 AM
To: Calvin Turner
Cc: Brian Aebly; Shawn Hoffman; Chris Goss; Kevin Kaufman; Vesperman, John - DOT; Grimes, Jennifer - DOT; Schultz, Brad J - DOT
Subject: RE: Message from KMBT_C353

UW-M was able to complete the field survey for the other WisDOT owned site. No cultural materials were identified, you are ok to proceed. Paperwork to follow at a later date.

Lynn

From: Cloud, Lynn - DOT
Sent: Monday, March 20, 2017 1:36 PM
To: 'Calvin Turner' <cturner@hoffcons.com>
Cc: Brian Aebly <baebly@hoffcons.com>; Shawn Hoffman <shoffman@hoffcons.com>; Chris Goss <cgoss@hoffcons.com>; Kevin Kaufman <kkaufman@hoffcons.com>; Vesperman, John - DOT <John.Vesperman@dot.wi.gov>; Grimes, Jennifer - DOT <Jennifer.Grimes@dot.wi.gov>; Schultz, Brad J - DOT <Brad.Schultz@dot.wi.gov>
Subject: RE: Message from KMBT_C353

Calvin, After our conversation this morning I spoke directly to UW-M about the WisDOT owned selected sites. It turns out, after more research was conducted the proposed WisDOT site (within the interchange) had been previous field surveyed in its entirety, and therefore, no additional field survey is required. This site is ok for use (pertaining to archaeology).

The other WisDOT proposed site will be field surveyed tomorrow, March 21st (assuming ground conditions are favorable).

Lynn

From: Calvin Turner [<mailto:cturner@hoffcons.com>]
Sent: Friday, January 13, 2017 9:58 AM
To: Cloud, Lynn - DOT <Lynn.Cloud@dot.wi.gov>
Cc: Brian Aebly <baebly@hoffcons.com>; Shawn Hoffman <shoffman@hoffcons.com>; Chris Goss <cgoss@hoffcons.com>; Kevin Kaufman <kkaufman@hoffcons.com>
Subject: FW: Message from KMBT_C353

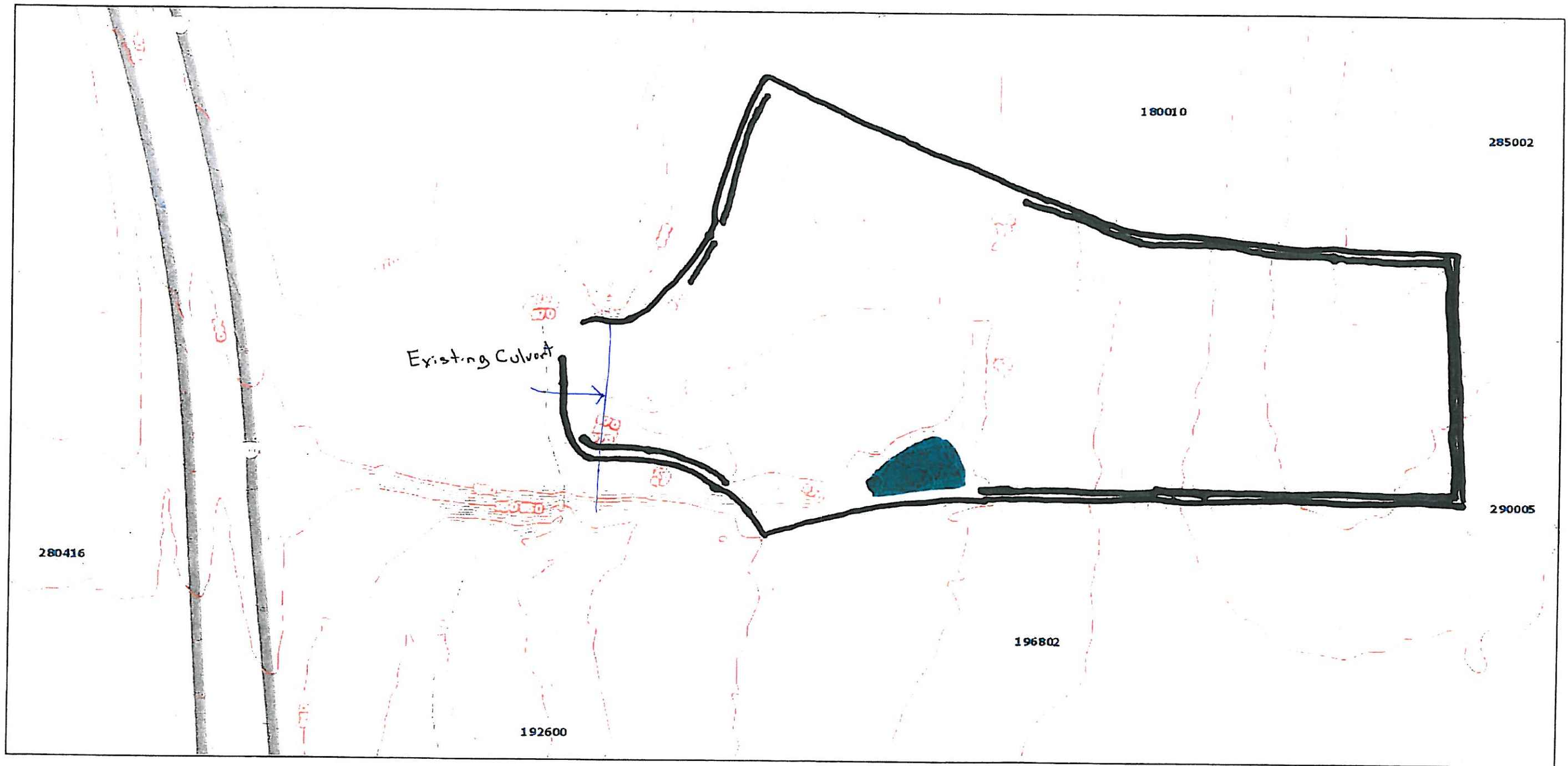
Lynn,

Please see the DT1919 form for the DOT ROW.

Thanks,

Calvin Turner

DOT Aggregate Selected Site

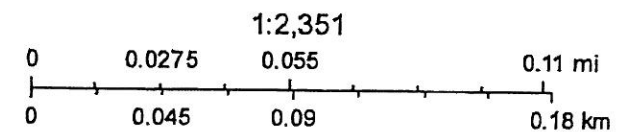


January 24, 2017

- Parcel Number
- Contours - 2 ft Intervals
- Contours - 10 ft Intervals
- DNR Wetlands
- Perennial Stream; Hidden Perennial Stream
- Intermittent Stream; Hidden Intermittent Stream

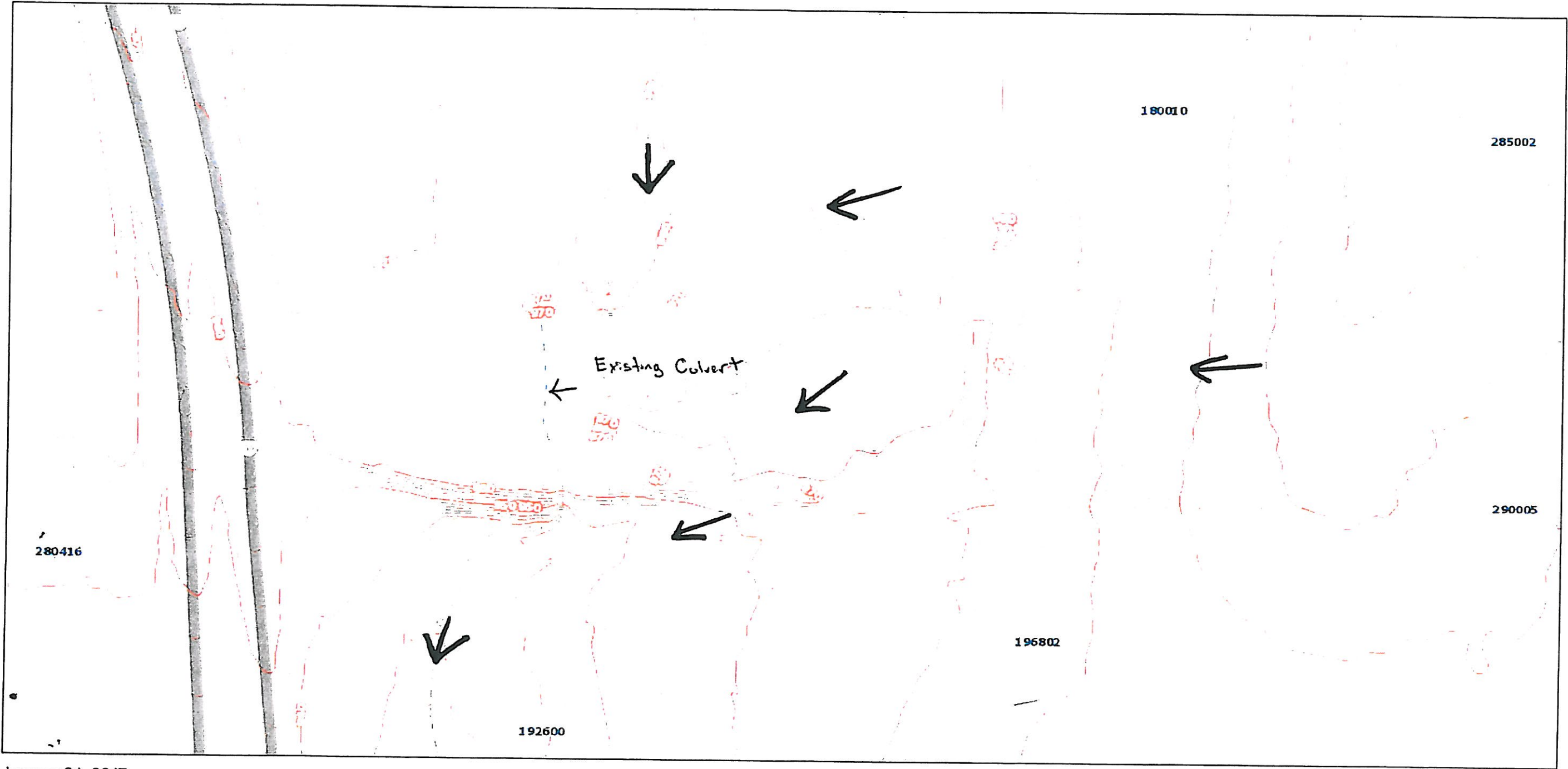
- Constructed Drainage
- Lakes and Ponds
- Flood Storage District
- Tax Parcels

- Temp Topsoil Berm
- S.H. Fence
- Filter Bag Location



Planning
Sources: Esri, HERE, DeLorme, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the

DOT Aggregate Selected Site

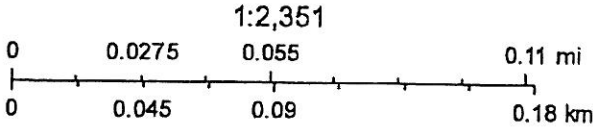


January 24, 2017

- Parcel Number
- Contours - 2 ft Intervals
- Contours - 10 ft Intervals
- DNR Wetlands
- Perennial Stream; Hidden Perennial Stream
- Intermittent Stream; Hidden Intermittent Stream

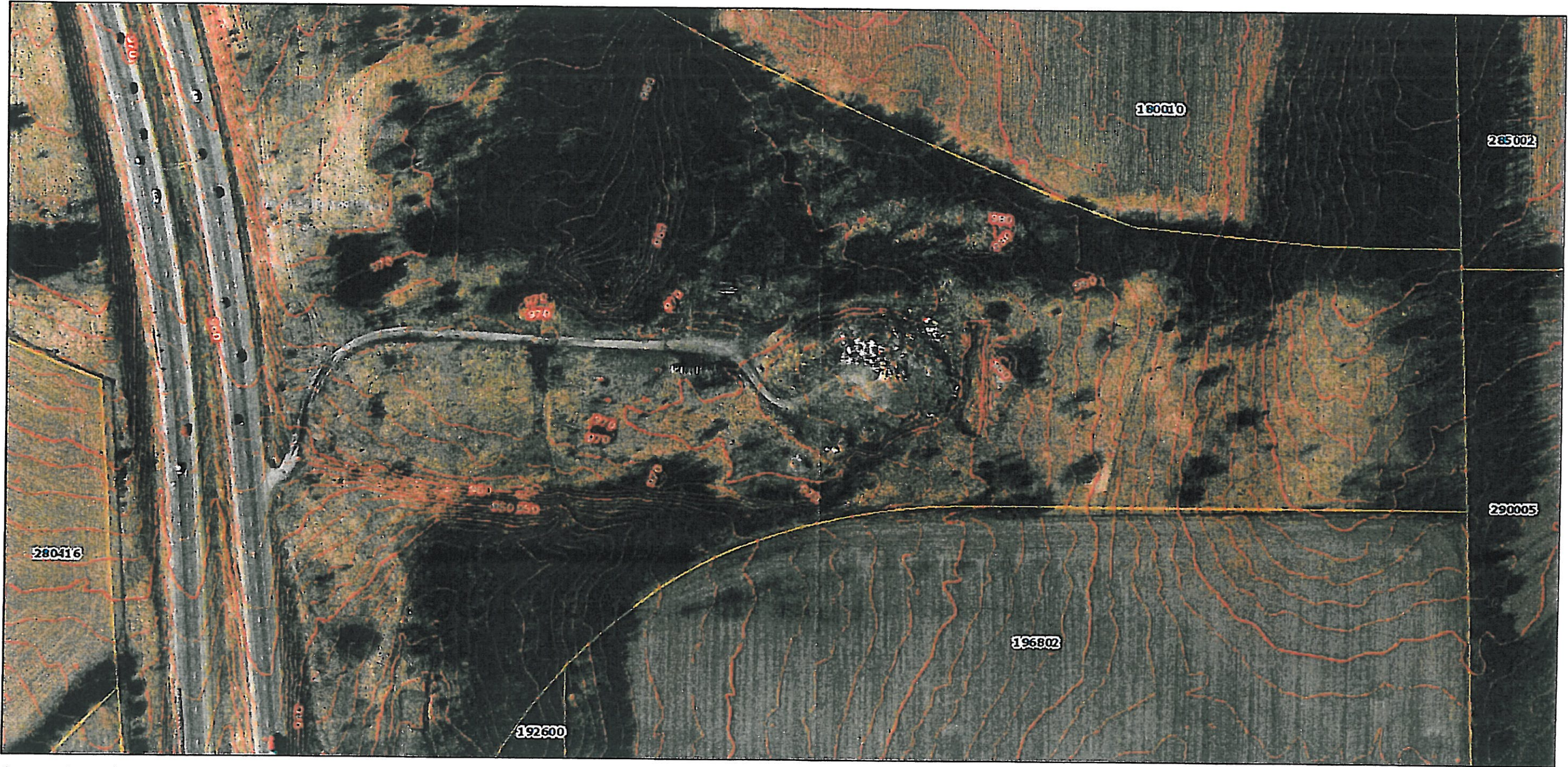
- Constructed Drainage
- Lakes and Ponds
- Flood Storage District
- Tax Parcels

Existing Contours
← Drainage Direction



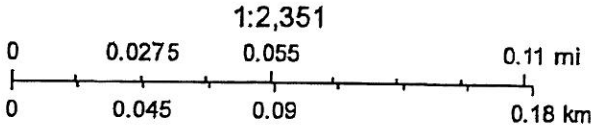
Planning
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the

DOT Aggregate Selected Site



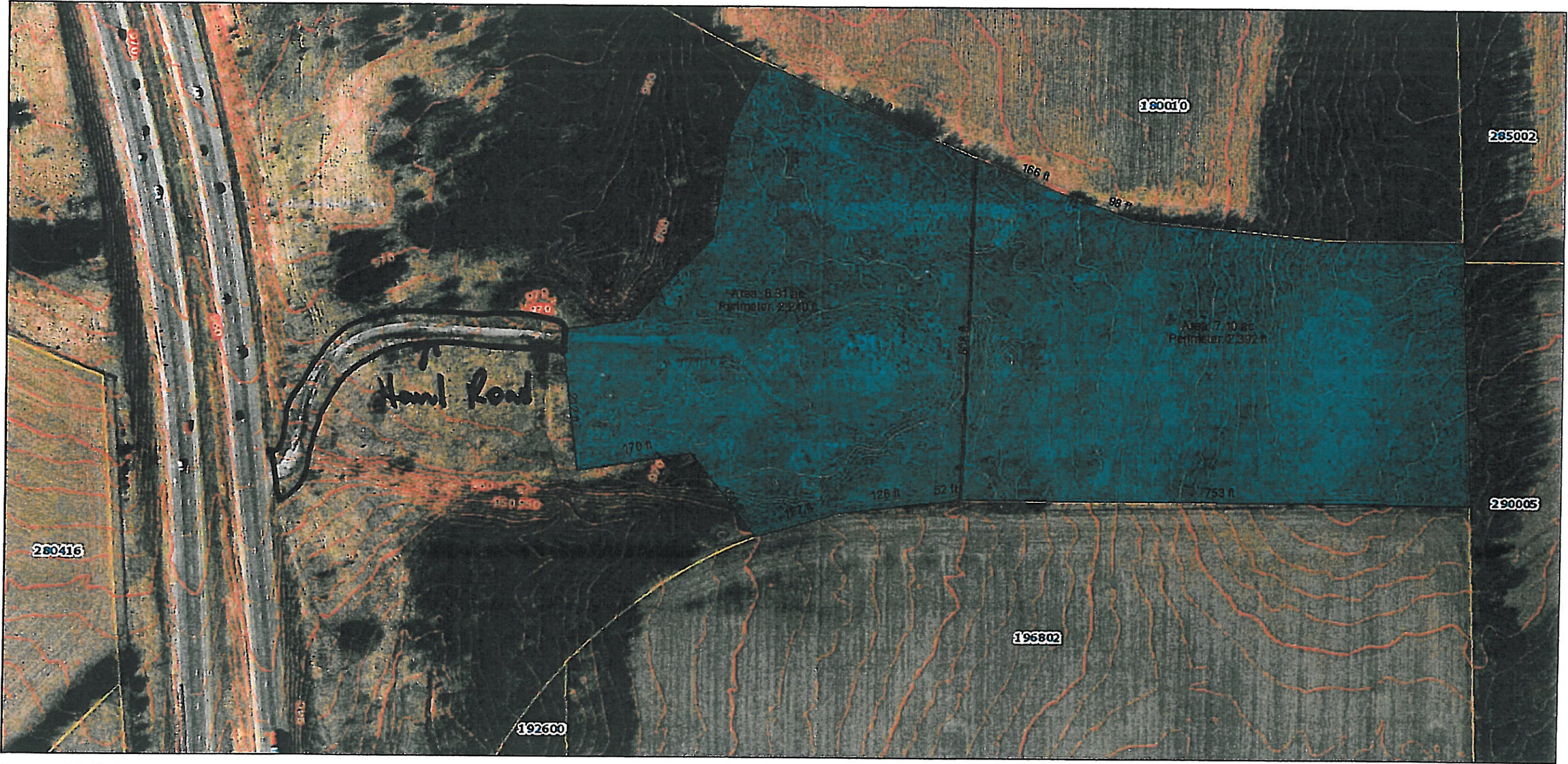
January 24, 2017

- | | |
|---|------------------------|
| Parcel Number | Constructed Drainage |
| Contours - 2 ft Intervals | Lakes and Ponds |
| Contours - 10 ft Intervals | Flood Storage District |
| DNR Wetlands | Tax Parcels |
| Perennial Stream; Hidden Perennial Stream | |
| Intermittent Stream; Hidden Intermittent Stream | |



Planning
Water Resources
ParcelText
Parcels

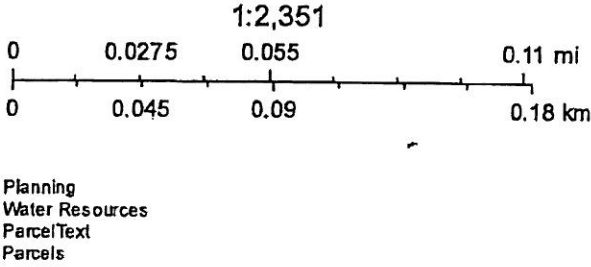
DOT Aggregate Selected Site



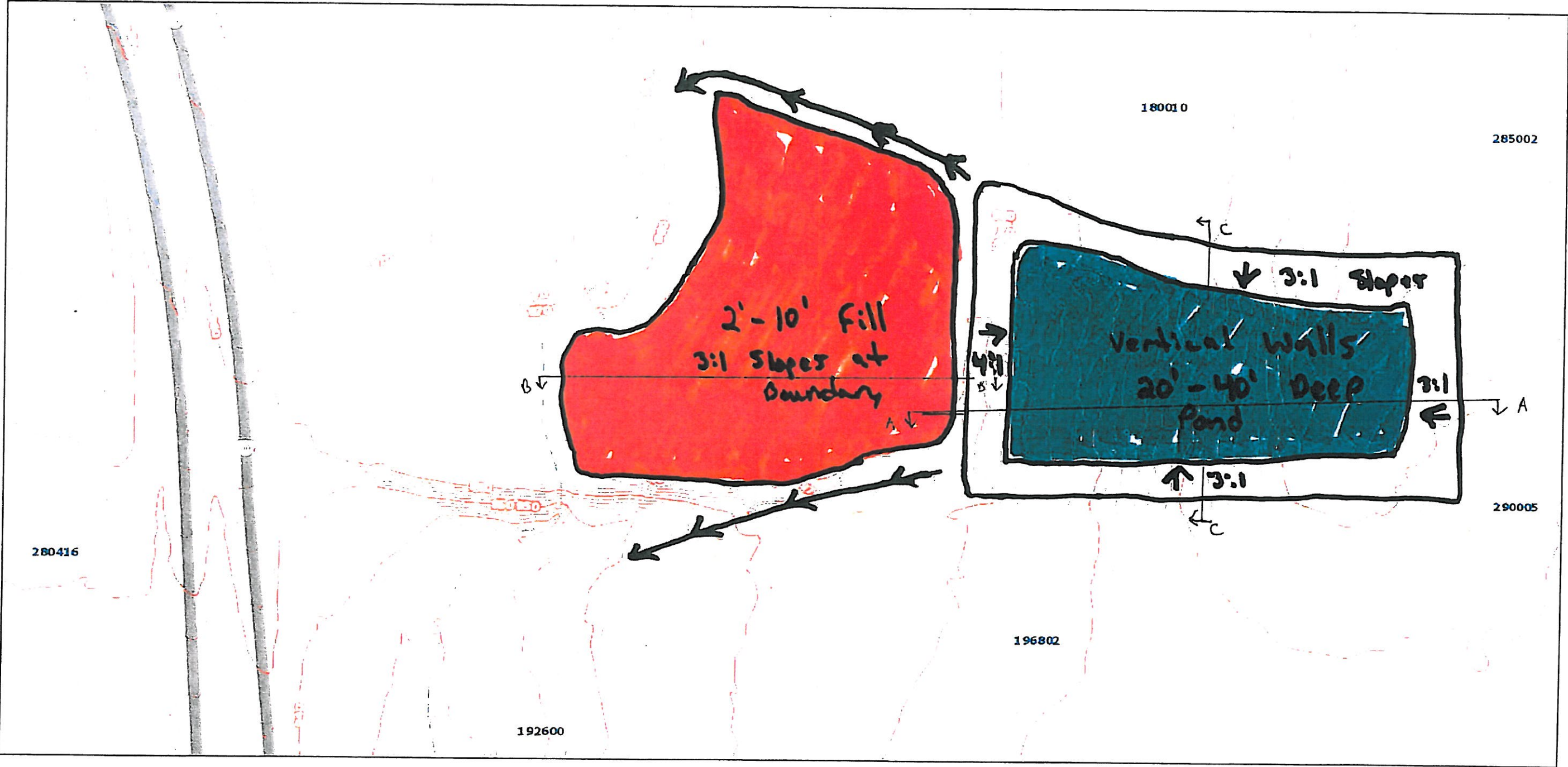
January 24, 2017

- | | |
|---|------------------------|
| Parcel Number | Constructed Drainage |
| Contours - 2 ft Intervals | Lakes and Ponds |
| Contours - 10 ft Intervals | Flood Storage District |
| DNR Wetlands | Tax Parcels |
| Perennial Stream; Hidden Perennial Stream | |
| Intermittent Stream; Hidden Intermittent Stream | |

13.5 ± Acres



DOT Aggregate Selected Site

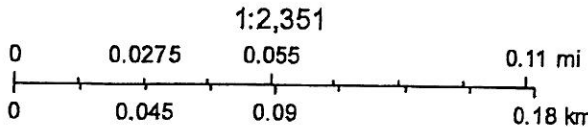


January 24, 2017

- Parcel Number
- Contours - 2 ft Intervals
- Contours - 10 ft Intervals
- DNR Wetlands
- Perennial Stream; Hidden Perennial Stream
- Intermittent Stream; Hidden Intermittent Stream

- Constructed Drainage
- Lakes and Ponds
- Flood Storage District
- Tax Parcels

←← Drainage Ditch
Fill Area
Pond Area



Planning
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the



Hoffman Construction Co.
123 CTH A
Black River Falls, WI 54615

DOT Aggregate Selected Site

Original Ground Contours

SHEET: 1

OF: 2



- Temp Top Soil Berm
- Silt Fence
- Filter Bag Location



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Black River Falls, WI 54615

DOT Aggregate Selected Site

Grading Plan

SHEET: 2	OF: 2
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Restoration Plan

Estimated Quantity

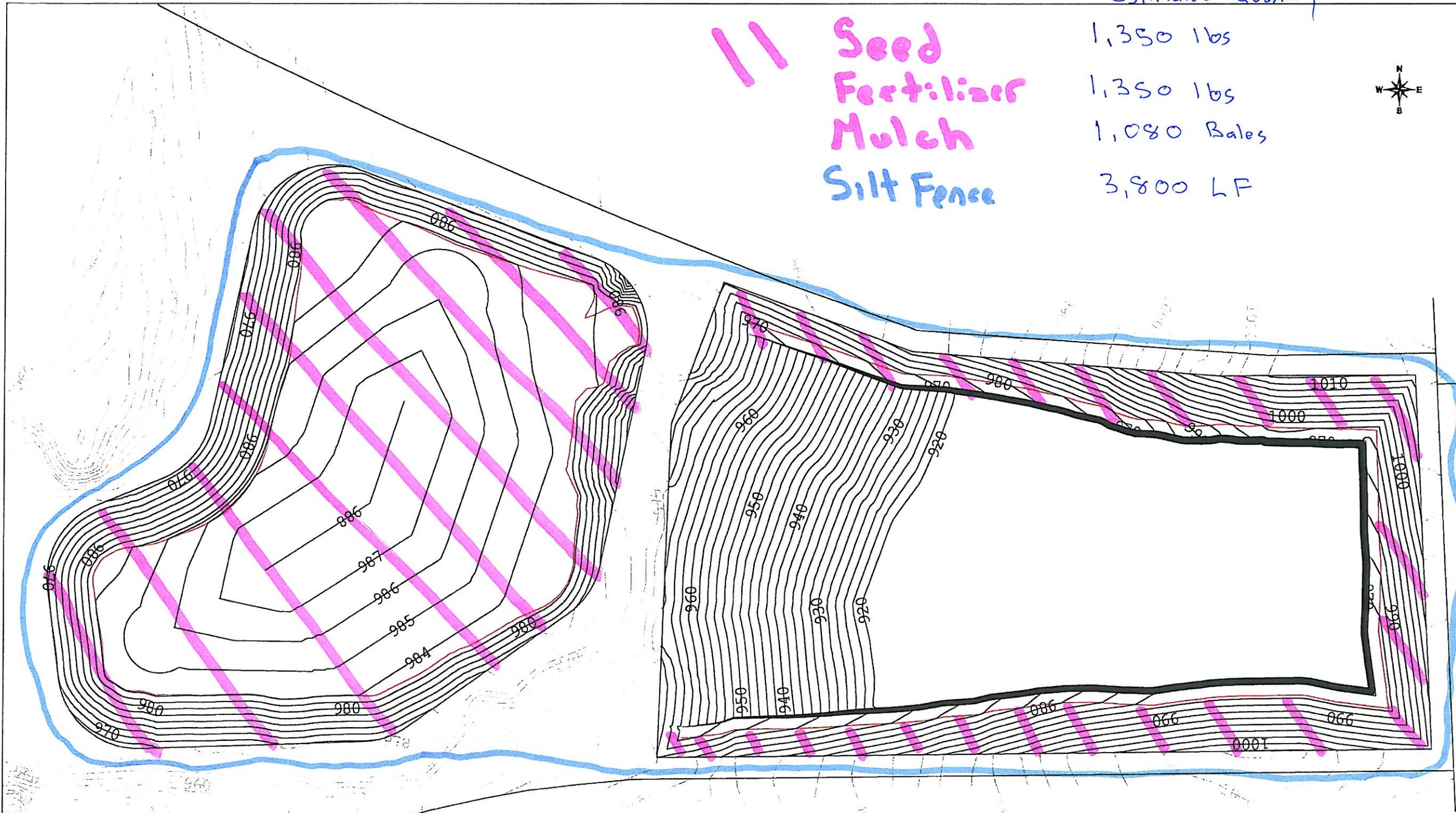
Seed
Fertilizer
Mulch
Silt Fence

1,350 lbs

1,350 lbs

1,080 Bales

3,800 LF



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Black River Falls, WI 54615

DOT Aggregate Selected Site

Grading Plan

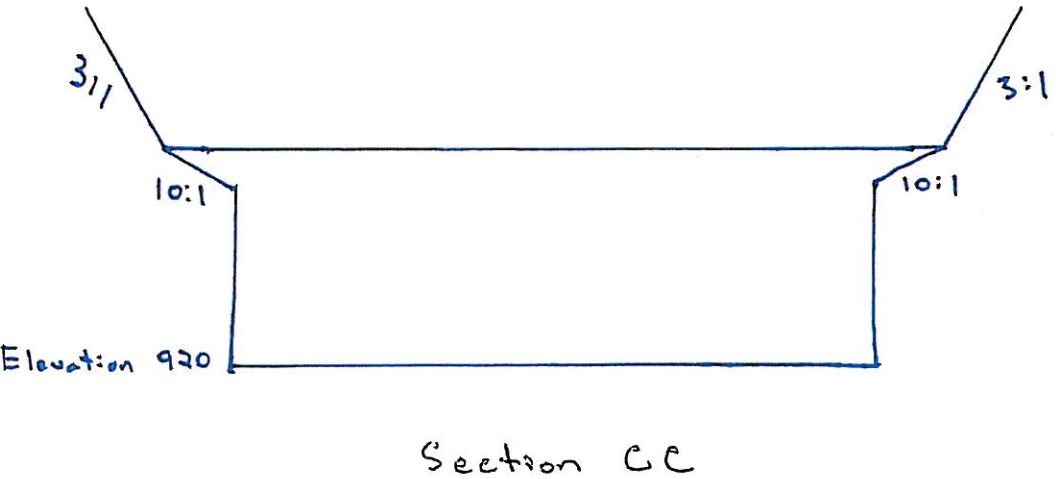
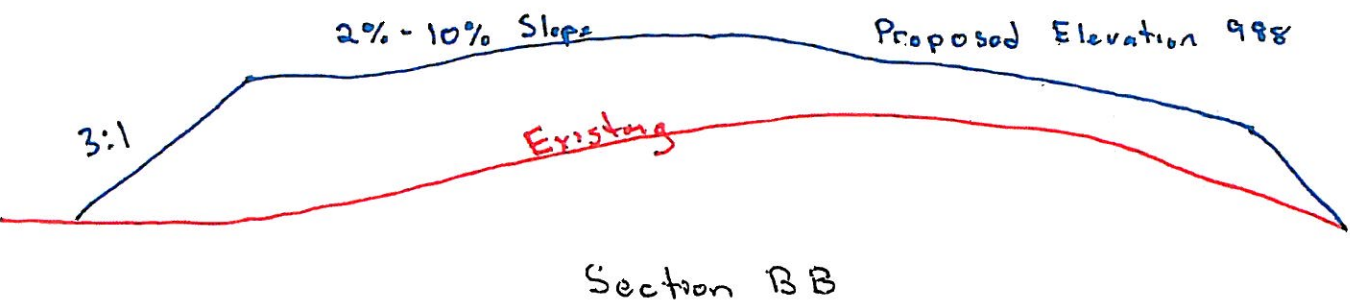
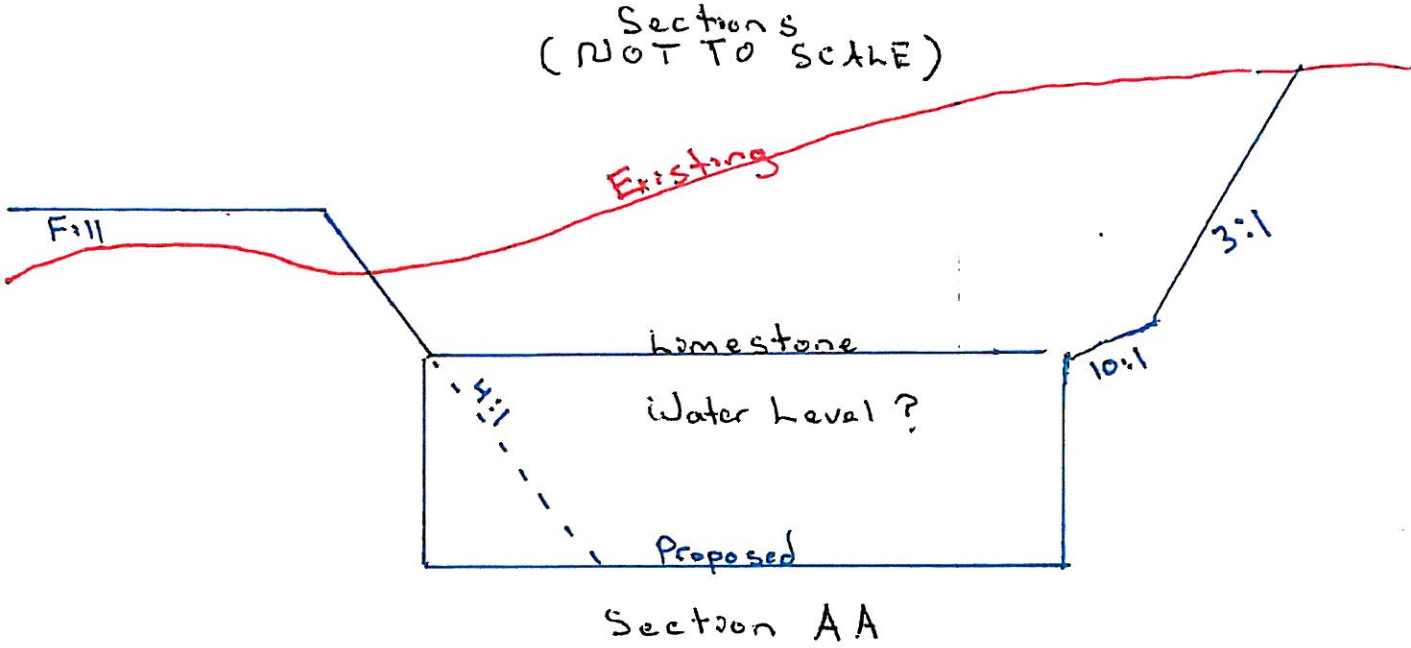
SHEET: 2 OF: 2

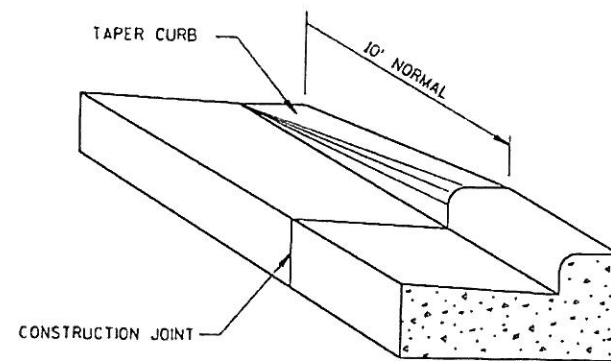
HOFFMAN CONSTRUCTION CO.



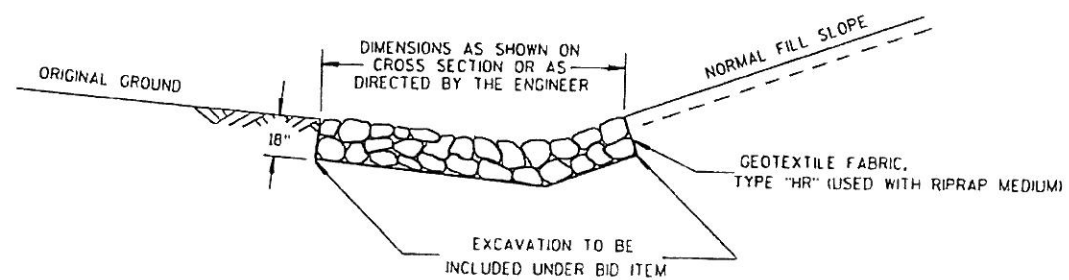
123 CTH A
BLACK RIVER FALLS, WI 54615
(715) 284-2512
FAX: (715) 284-9698

PROJECT: _____ BY: _____
DESCRIPTION: _____ DATE: _____
PROJECT #: _____ SHEET #: _____ OF _____
NOTE: _____





DETAIL OF CURB & GUTTER TERMINI



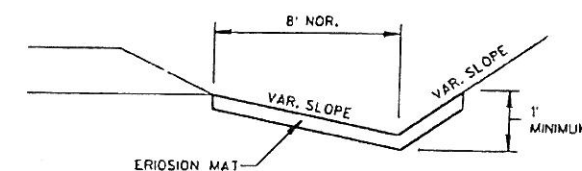
DETAIL FOR RIPRAP MEDIUM IN DITCHES

RUNOFF COEFFICIENT TABLE

	HYDROLOGIC SOIL GROUP											
	A			B			C			D		
	SLOPE RANGE (PERCENT)			SLOPE RANGE (PERCENT)			SLOPE RANGE (PERCENT)			SLOPE RANGE (PERCENT)		
LAND USE:	0-2	2-6	6 & OVER	0-2	2-6	6 & OVER	0-2	2-6	6 & OVER	0-2	2-6	6 & OVER
ROW CROPS	.08 .22	.16 .30	.22 .38	.12 .26	.20 .34	.27 .44	.15 .30	.24 .37	.33 .50	.19 .34	.28 .41	.38 .56
MEDIAN STRIP-TURF	.19 .24	.20 .26	.24 .30	.19 .25	.22 .28	.26 .33	.20 .26	.23 .30	.30 .37	.20 .27	.25 .32	.30 .40
SIDE SLOPE-TURF			.25 .32			.27 .34			.28 .36			.30 .38
PAVEMENT:												
ASPHALT	.70 - .95											
CONCRETE	.80 - .95											
BRICK	.70 - .80											
DRIVES, WALKS	.75 - .85											
ROOFS	.75 - .95											
GRAVEL ROADS, SHOULDERS	.40 - .60											

TOTAL PROJECT AREA = 426.1 ACRES

TOTAL AREA EXPECTED TO BE DISTURBED BY CONSTRUCTION ACTIVITIES = 179.2 ACRES

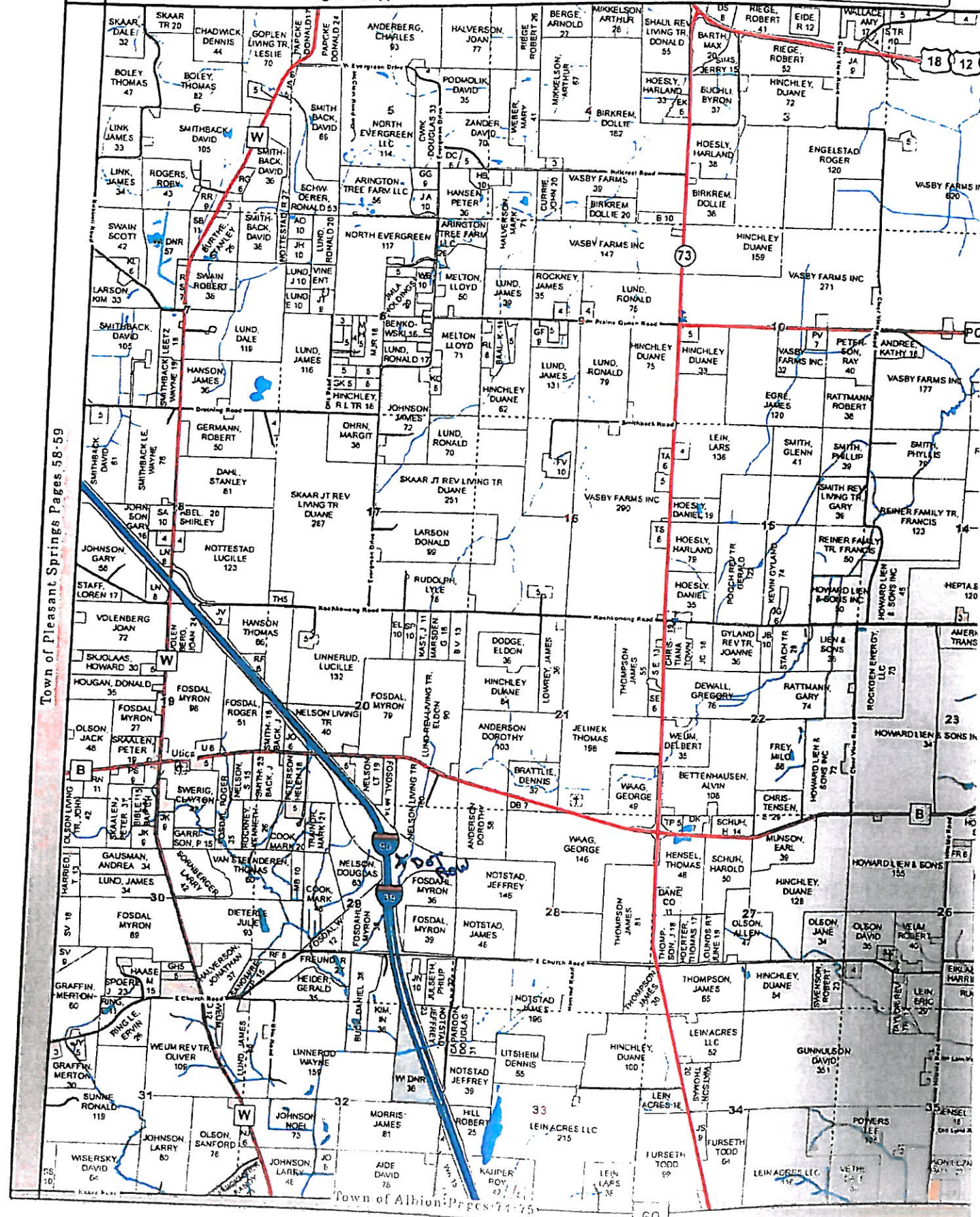


EROSION MAT DETAIL FOR DITCHES

Town of Christiana T-06-N R-12-E

Town of Deerfield Pages 46-47

Church
Municipal Office Building
Cemetery
School
Section Line
Park Land



Town of Pleasant Springs Pages 58-59

Town of Albion Pages 74-75



Tsurumi Submersible Pump 3-inch Discharge 110 GPM
Converts from 110 or 220 Volt



Click Image to Zoom



1 Add To Basket

The Tsurumi NK2-15 Heavy duty, high head single-phase pump voltage reconnect allows for change from 110 volt to 220 volt. This contractors pump is for high volume single phase dewatering applications. It has double inside mechanical seals with silicon carbide faces, running in an oil filled chamber and further protected by a lip seal running against a replaceable, stainless steel shaft sleeve provides for the most durable seal design available.

Tsurumi Model No. NK2-15

- Terminal board for voltage reconnect allows for change from 110V to 220V
- 32' Power cord
- Continuous Running Water Level: 3-1/4"
- Built in thermal & amperage sensing protector prevents motor failure due to overloading or accidental run dry conditions
- Double shielded, permanently lubricated, high temperature C3 ball bearings rated for a B-10 life of 60,000 hours extend operational life
- V-Ring Seal design protects mechanical seal from abrasive particles
- Semi-vortex, solids handling impeller
- Max. Dia. Solids 5/16"

Applications

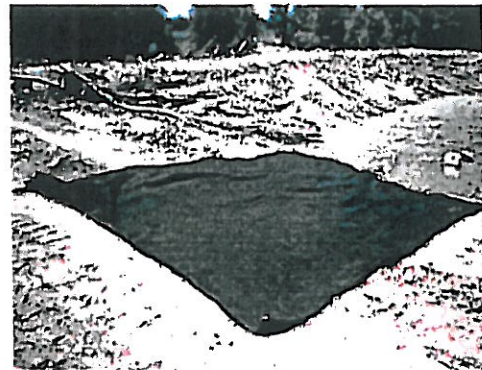
- Residential, commercial, industrial wastewater and construction site drainage
- Effluent transfer
- Decorative waterfalls and fountains
- Raw water supply from rivers or lakes.
- Nonflammable Liquids Only

GENERAL DATA	
MAX. FLOW: GPH	6,600 GPH/110 GPM
MAX. HEAD: ft	65'
PUMP TYPE	Elec. Submersible, Top Discharge
DISCHARGE CONNECTION	3" NPT
SHIPPING WEIGHT : lbs	64
DEMENSIONS	Diameter 9 7/16" Height 24 1/2"

ELECTRICAL/MOTOR DATA	
MOTOR RATING: HP	2
MOTOR AMPS	23.0 at 110 volt / 11.5 at 220 volt
VOLTAGE	110 or 220 volt 60Hz
MOTOR RPM	3440
MOTOR PROTECTION	Thermal Automatic
POWER CORD: GAGE; LENGTH	12/3; 32'
MAXIMUM LIQUID TEMPERATURE	104 F

SOILTEX SEDIMENT BAGS

The SOILTEX SEDIMENT BAG is designed to capture soil particles from soil laden water. This BMP is built with a 6" fill port that will easily accommodate a 6" discharge hose.



Whether you are pumping from a pond or construction site excavation this device will be able to reduce the fines and sands from the discharge.

Made from a durable Nonwoven fabric that possesses high flow rates this versatile product will help you meet strict regulatory demands.

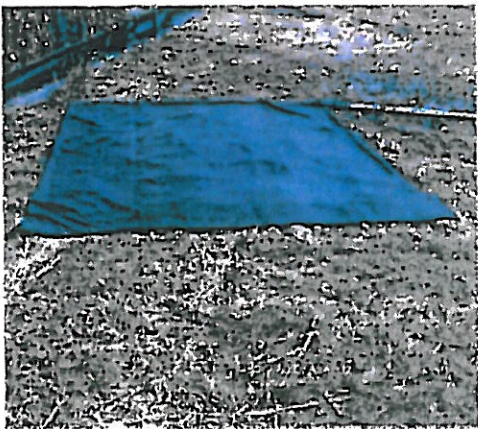
SIZES

- In stock
- 12' X 10'
- 12' X 15'
- 15' X 15'

Special sizes available please call for a quote .

TYPE I
SEDIMENT BAG SPECIFICATION

Property	Test Method	English Units
Mass	ASTM D- 5291	8 oz/yd ²
Thickness	ASTM D- 5199	70 mils
Grab Tensile Strength	ASTM D- 4632	205 lbs
Grab Tensile Elongation	ASTM D- 4632	50 %
Trapezoidal Tear	ASTM D- 4533	85 lbs
Mullen Burst	ASTM D- 3786	400 psi
Puncture	ASTM D- 4833	130 lbs
Permittivity	ASTM D- 4491	1.4 sec-1
Permeability	ASTM D- 4491	0.38 cm/sec
Water Flow Rate	ASTM D- 4491	90 gpm/ft ²
AOS	ASTM D- 4751	80 US Sieve
UV Resistance	ASTM D- 4355	70 %



TYPE II
SEDIMENT BAG SPECIFICATION

Property	Test Method	English Units
Mass	ASTM D- 5291	12 oz/yd ²
Thickness	ASTM D- 5199	105 mils
Grab Tensile Strength	ASTM D- 4632	395 lbs
Grab Tensile Elongation	ASTM D- 4632	50 %
Trapezoidal Tear	ASTM D- 4533	115 lbs
Mullen Burst	ASTM D- 3786	600 psi
Puncture	ASTM D- 4833	180 lbs
Permittivity	ASTM D- 4491	1 sec-1
Permeability	ASTM D- 4491	0.29 cm/sec
Water Flow Rate	ASTM D- 4491	75 gpm/ft ²
AOS	ASTM D- 4751	100 US Sieve
UV Resistance	ASTM D- 4355	70 %



GEO-SYNTHETICS, INC

Geo-Synthetics, Inc.
2401 Pewaukee Road
Waukesha, Wisconsin 53188

Phone: 800.444.5523
Fax: 262.524.7961



Wisconsin Department of Transportation

111 Interstate Blvd., Edgerton WI 53534-9399 (608) 884-1234 FAX (608) 884-1220 www.dot.wisconsin.gov



28 April 2017

Hoffman Construction Company
123 County Road A
Black River Falls, WI 54615

Attention: Calvin Turner: Phone: 715-896-7850, email: cturner@hoffcons.com

RE: Project 1007-11-75 ECIP Amendment 4 – WisDOT Aggregate Selected Site Modifications
Northbound Main Line I-39/90, Dane County Line to E. Church Street
IH-39
Illinois State Line to Madison
Dane County

Amendment 4, submitted April 11, 2017, to the Erosion Control Implementation Plan (ECIP) regarding Project 1007-11-75, with a revision submitted on April 28, 2017, has been considered. This amendment request is to modify the original approval of this selected site by including asphalt and concrete batch plants and additional aggregate storage for this site.

The ECIP amendment **can be approved** as long as the following concerns are understood and implemented.

- The contractor constructs the site from the plans and applies the erosion control practices described in the plans and ECIP amendment and at the direction of the engineer.
- Erosion control inspections should be conducted at least once per week; within 24 hours of every 0.5" rain event; at the change of staging; and at the end of the project.
- Control any fugitive dust.
- Temporary seed topsoil stockpiles after the topsoil is stripped from the site.
- The contractor shall clean up or remove off-site sediment discharged by construction or maintenance activity at the end of each work day (Trans 401.06).
- Remove temporary erosion control measures as areas are stabilized or remove at the direction of the engineer.
- This selected site is only to be used for **this** WisDOT project. If you or other contractors are wasting or borrowing at this site for other projects, you will need to obtain an NR216 construction permit from the WDNR.

Part B, Selected Sites:

The selected site you describe is a private site. If any additional sites you may select are not, contact Lynn Cloud, (608) 266-0099 at the Bureau of Technical Services – Environmental Documents Section (BTS-EDS) at least 10 working days in advance to schedule an archaeological literature review of any proposed borrow site, batch plant site, waste site or staging area.

The proposed site is:

- **DOT Aggregate Selected Site**, Off I-39/90, Albion Township, Dane Co., T6N R12E Sec 29, SE ¼, NE ¼, (Private) (**Approved**)
 1. Activity: Upon approval – November 18, 2017.



Wisconsin Department of Transportation

2101 Wright Street Madison, WI 53704-2583 (608) 246-3800 FAX (608) 246-7996 www.dot.wisconsin.gov



2. Activities can start once the erosion control practices are in place and any needed permits received and reviewed. Construction will be completed by 11/18/17. Restore the fill site as soon as the site is filled to the proposed grades, or by 11/18/17.
3. Estimated total area – 21 acres. Total disturbed area – 5 acres.
4. **Work cannot begin until the contract modification is processed.**
5. Submit a blasting plan to the Project Engineer 14 days prior to blasting.
6. Prior to beginning operation of the batch plants, provide the appropriate air permits and high capacity well permits to the Project Engineer for inspection.

Any changes to the final, approved ECIP must be submitted as amendments to the ECIP and approved prior to their implementation on the project. Be reminded that WisDOT and WDNR have **14 days for review** of these implementation plans.

The Department of Natural Resources concurs with this amendment (19 April 2017). The above comments need to be addressed at the onset of and during construction.

Contact me with any questions or concerns regarding this review.

Thank you.

- ☒ Accepted
☐ Conditionally Accepted
☐ Not Accepted

- ☒ Approved
☐ Conditionally Approved
☐ Not Approved

John Voorhees
CMT Drainage Engineer
AECOM – Middleton, WI
E-mail: john.voorhees@aecom.com
608-828-8170

Chris Fredrick, Project Manager
WisDOT I-39/90 Corridor
Edgerton, WI 53534
E-mail: christopher.fredrick@dot.wi.gov
Office: 608-884-7130
Cell: 608-516-7129

cc: Eric Heggelund, WDNR Environmental Coordinator (eric.heggelund@wisconsin.gov)
Bob Meurer, WisDOT Project Engineer (bob.meurer@dot.wi.gov)
Brad Schultz, WisDOT SW Region Stormwater Engineer (brad.schultz@dot.wi.gov)
Christine Krall, WisDOT SW Region Stormwater Engineer (christine.krall@dot.state.wi.us)
Jennifer Grimes, Corridor Environmental Coordinator (Jennifer.grimes@dot.state.wi.us)
Nate Lipinski, AECOM, (nathan.lipinski@aecom.com)
Jeremy Balousek, Dane County Land & Water Resources (balousek@countyofdane.com)

B. Erosion Control Implementation Plan Requirements - Selected Sites

Project ID: 1007-11-75 Highway: IH 39 County: Dane

Name of Road/Project: S. Dane City Line to E. Church Rd, NB

Type of Work: Removals, grading, concrete pavement, HMA Pavement, base aggregate dense, select crushed, select borrow, storm sewer, B-13-701, B-13-705, B-13-708, B-13-711, S-13-396, S-13-398, C-13-3076, C13-3078

Prime Contractor: Hoffman Construction Company

Address: 123 CTH A Black River Falls, WI 54615

Contact Person: Calvin Turner Phone: 715-896-7850

DOT Project Manager: Chris Fredrick Project Leader: Bob Meurer

The ECIP shall also include, at a minimum, a narrative and pictorial description for each of the selected sites, if any, and attendant erosion control and storm water management measures for the selected sites. If the combined area of the project site and all selected sites disturbs 1 or more acres as determined by WisDOT the following information is required for **each** selected site.

If a selected site is used prior to WisDOT approval, it is not covered under the Cooperative Agreement between DOT and DNR and all applicable permits need to be obtained before the selected site can be used.

1. Selected Site Name: WIS DOT

Address: _____

City/Village/Town: Albion County: Dane

Township Range Section 1/4 Sect. 1/4-1/4 Sect. 29-6-12 SE1/4 NE1/4

Include a location map, i.e. a plat map.

2. Principal contact of the contractor or other person responsible for installation, maintenance, and removal of erosion control and storm water management measures at the selected site.

Name: Stewart Hassler Phone: 608-438-0234

Firm: Highway Landscapers

Address: 123 South Grove Avenue Jefferson,
WI 53549

3. Is this a commercial pit? No If no, continue to #4

If yes, Name of the pit: _____

Contact for the pit: _____ Phone: _____

Include cover sheet of NR 216, NR 135 or COMM permit displaying the permit number, CUP number and expiration date.

Will the waste or borrow be in the permitted area? **NO**

If yes then end of Part B for this selected site. If no then complete remainder of Part B.

4. Have applicable permits been obtained? **No Permits needed. Clearing & Grubbing will be done after 4/10/17. Shafer (Concrete Paving Contractor) will apply for a high capacity well permit after this is approved. If site is approved, the concrete plant will have an air permit. Plant has an air permit that can be view once on site.**
5. Has a contractor notified the landowner of State Statue 84.06(12) Borrow Sites, subparagraphs (b) 4 and (b) 5, which state that the landowner is responsible for compliance with local noise abatement, landscaping, and restoration ordinances? **Yes**
6. Is the selected site on tribal land? **No**
7. Has the Archaeological Review (Form DT1919) been sent to BEES? **Yes**
What was the Bureau recommendation? Have not received a response yet _____
Survey Recommended _____ High Potential _____ OK to Proceed **X**_____
8. Construction activity dates at the selected site: **Start: 3/13/17 Complete: 11/18/17**
9. A narrative description of the selected site as it exists before construction, the nature of the activities to be performed at the site including approximate quantity of waste/borrow material, and land use anticipated after restoration to the site.

The existing site was used by the County to dump concrete and waste in the past. HCC will be responsible for any settlement and will have a spill kit onsite at all times. The topsoil will be stripped and placed in a berm around the perimeter of the site. The overburden will be stripped and placed in a berm as area shown in the plans to restore the site. We also will be filling 5' – 10' of material south of the proposed concrete plant location as well. HCC will strip the topsoil in the proposed locations for the Concrete Plant and Asphalt Plant. Once this area is filled in we will be storing concrete aggregates from Madison Sand & Gravel in that location. Any disturbance near the existing ravine, HCC will protect these areas with the appropriate erosion control practices. We will also be drilling a well onsite for water. If contaminated soil is encountered, we will contact the Project Leader and WIS DNR. A blasting plan will be submitted and neighbors will be notified before any activity starts.

10. A description of the intended sequence of major land disturbing activities at the selected site.

The following sequence of major land disturbance as follows:

March: Erosion Control

April: Strip overburden and fill

May – October: Blasting, Crushing & Loading

November: Restoring the site

11. Estimated total area of selected site: **21** Total disturbed area: **5**
12. Immediate receiving waters: **ROW Swale** _____
(Attach FEMA Floodplain maps)
13. Runoff coefficients at the selected site. (Attach the Runoff Coefficient Table)
Supply the following estimates: Site slope before construction: 6:1 After: 3:1

The runoff coefficients will be .25

14. Site map(s) including: (See Trans 401.08(2)(b)(11) for details).
- a. Boundaries of the site and areas of soil disturbance.
 - b. Existing topography and drainage patterns, roads and surface waters.
 - c. Drainage patterns and approximate slopes anticipated after major grading activities.
 - d. Location of major structural and non-structural erosion control and stormwater management practices.
 - e. Location of areas where stabilization will be employed, including but not limited to vegetation, following construction or maintenance activities.
 - f. Area and extent of wetland acreage on the site, whether disturbed or not.
 - g. Locations where storm water is discharged to a surface water or wetland.
 - h. Location of any internal haul roads.

(Recommend using USGS maps, Orthophotos, SCS Soils maps, or equivalent.)

15. A description of appropriate erosion control and storm water management measures that will be employed at the selected site to prevent sediments and pollutants from reaching waters of the state, including wetlands. The plan shall clearly describe the appropriate best management practice for each major activity identified and the timing during the construction process that the measures will be implemented. The description of best management practices shall include:

- a. Description of permanent or temporary erosion control and storm water management measures. Plans shall ensure the preservation of existing vegetation where practical.

Silt fence will be placed around the perimeter of the site and a topsoil berm will also be stored around the perimeter to aid runoff water. Upslope tracking will be performed as described in the Erosion Control Special Specification No. 11.

- b. Description of structural practices to divert runoff away from exposed soils, to store flows or to otherwise limit runoff and the discharge of pollutants from the site.

The runoff will be controlled by silt fence and a topsoil berm that will flow towards the existing swale.

- c. Management of overland flow at the site.

The flow of runoff will be monitored and any areas not controlled by silt fence will be addressed with adding BMP's. This would most likely be additional silt fence due to the relatively flat gradient. If there is any erosion from channelized flow, Rip Rap and fabric will be installed. If any dewatering is needed, HCC plans on using a 3" Pump with a discharge of 110 GPM and Type 1 Soiltex Sediment bag.

- d. Trapping of sediment in channelized flow.

We will utilize rock ditch checks, sediment logs, or hay bale ditch checks to trap any sediment in the channelized flow. The existing swales will not be impeded, therefore there will not be a concentration of flow.

- e. Staging construction to limit bare areas subject to erosion.

We will be utilizing this site throughout all 4 stages.

- f. Protection of downslope drainage inlets where they occur.

NA

- g. Minimization of tracking at the site.
There should be no tracking since the access is directly onto DOT ROW. If it determined that a tracking pad is needed, HCC will field fit the tracking pad as deemed necessary.
- h. Clean up of off-site sediment deposits.
HCC will clean up any sediment deposits when complete with this site.
- i. Proper disposal of building and waste material at the site.
NA
- j. Stabilization of drainage ways.
NA
- k. Installation of permanent stabilization practices as soon as possible after final grading. **All fill areas to be leveled will have final stabilization practices in place right after the slopes are completed, especially in the southern fill area upstream of the drainageway.**
- l. Minimization of dust to the maximum extent practical.
A water truck will be on site to minimize any dust.
- m. Stabilization of the disturbed portions of the site.

We will use temp seed on disturbed areas that are open for more than 2 weeks.

16. A description of the procedures to maintain vegetation, best management practices and other protective measures, in good and effective operating condition. If the selected site will remain open for more than 2 weeks without construction activities (i.e. over-winter), how will the site be stabilized and how often will it be inspected?

The site will be inspected weekly or after a rain event of ½ “or more. The site will be Graded to its proposed restoration configuration at the end of the project. The project is scheduled to be completed in one calendar year so no winterization will be needed. HCC will fix any erosion control issues in the Spring if needed.

17. Existing data describing the surface soil, subsoils, and depth to groundwater at the selected site. (Refer to Soil Conservation Service’s County Soil Survey Book or equivalent where available.)

Boring logs indicated that the areas that HCC will be mining are dry.

C. Amendments

The contractor shall follow the procedure outlined in Trans 401.08(3) for all amendments.

The ECIP shall be amended when there is a change in design, construction, operation or

maintenance at a project or selected site that has the reasonable potential for a discharge to waters of the state and that has not been addressed in the ECIP; or when the best management practices required by the plan fail to reduce adverse impacts to waters of the state caused by a discharge.

Amendments are subject to the written approval of the Department of Transportation after consultation with the DNR.

Please label all attachments with the corresponding Section number (i.e., Attachment B10)



Section A

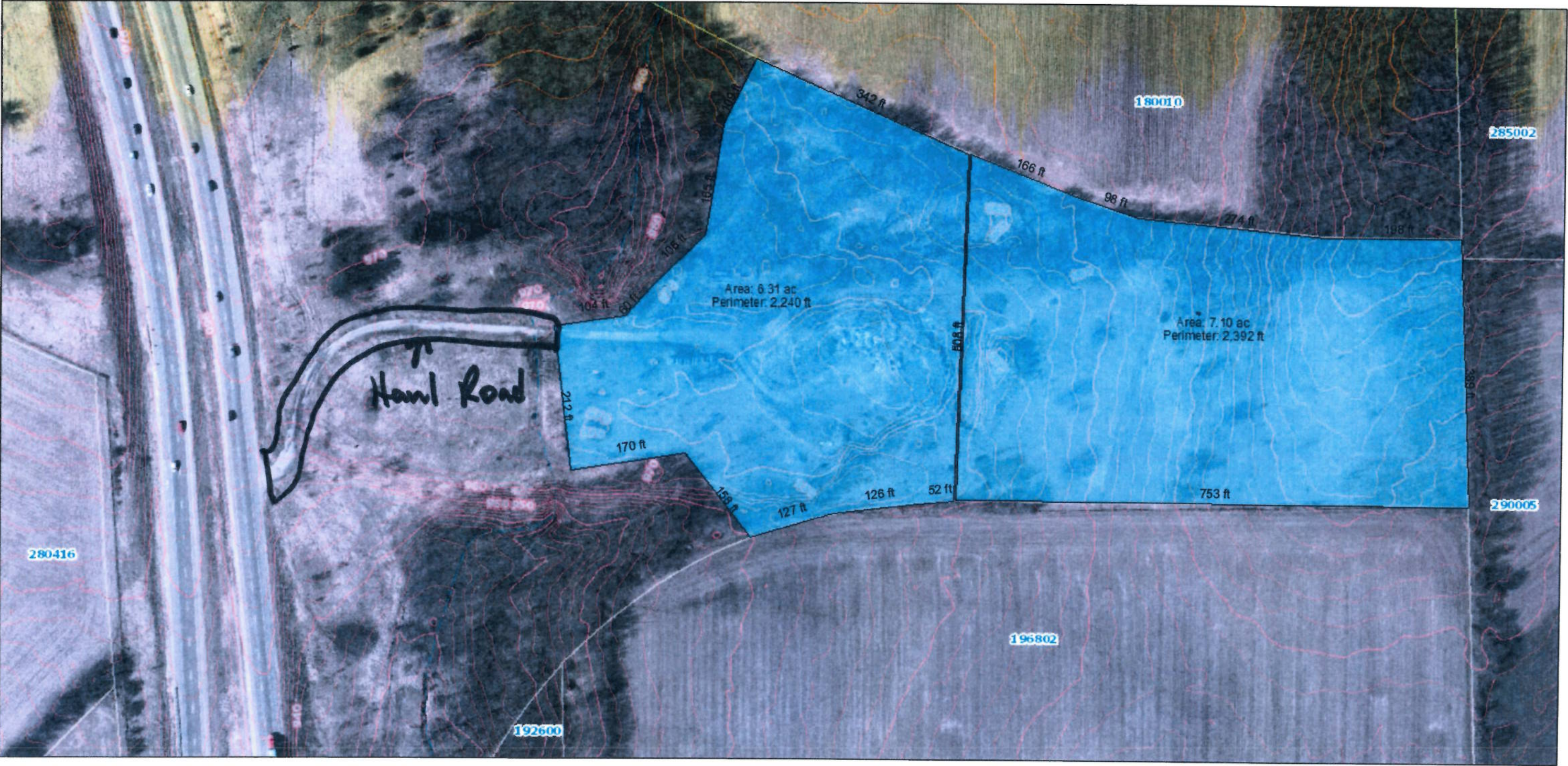
Proposed Berm

3:1 \searrow \swarrow 3:1

Section B

3:1 \searrow \swarrow 3:1

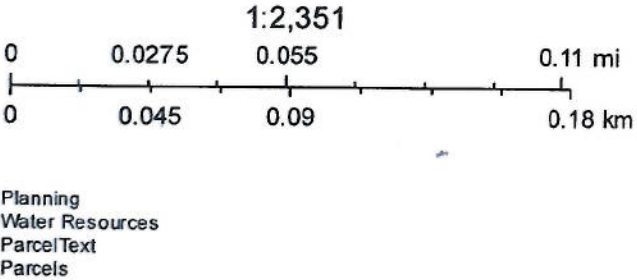
DOT Aggregate Selected Site

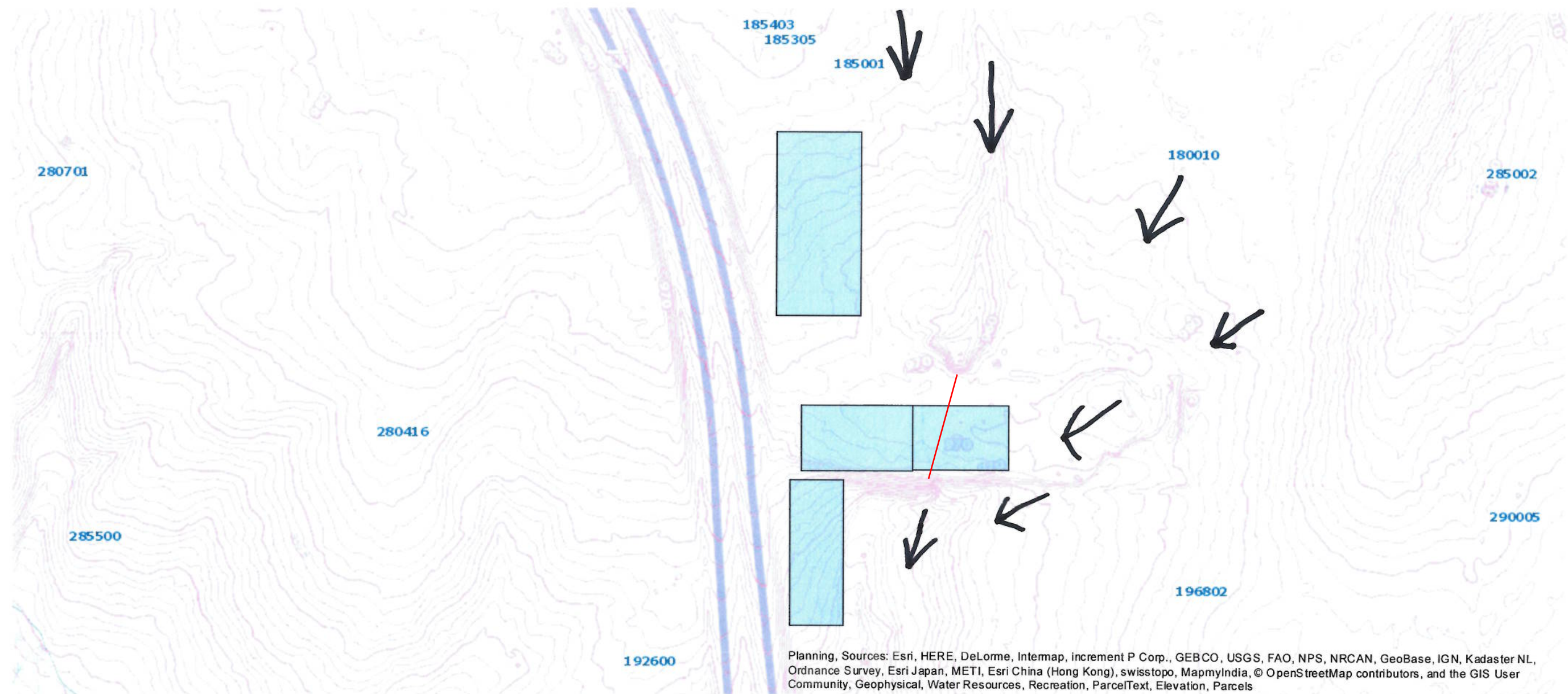


January 24, 2017

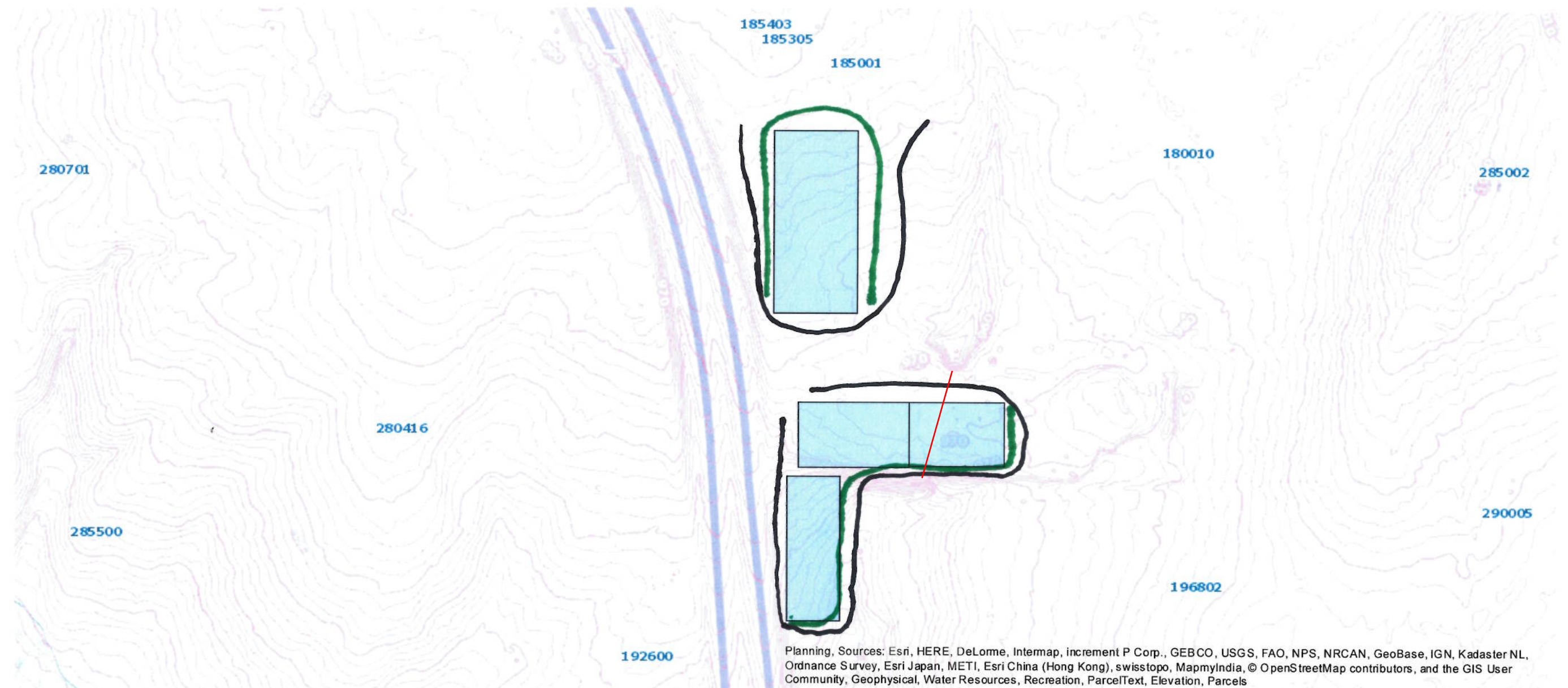
- | | |
|---|------------------------|
| Parcel Number | Constructed Drainage |
| Contours - 2 ft Intervals | Lakes and Ponds |
| Contours - 10 ft Intervals | Flood Storage District |
| DNR Wetlands | Tax Parcels |
| Perennial Stream; Hidden Perennial Stream | |
| Intermittent Stream; Hidden Intermittent Stream | |

13.5 ± Acres





Existing Contours
← Drainage Direction

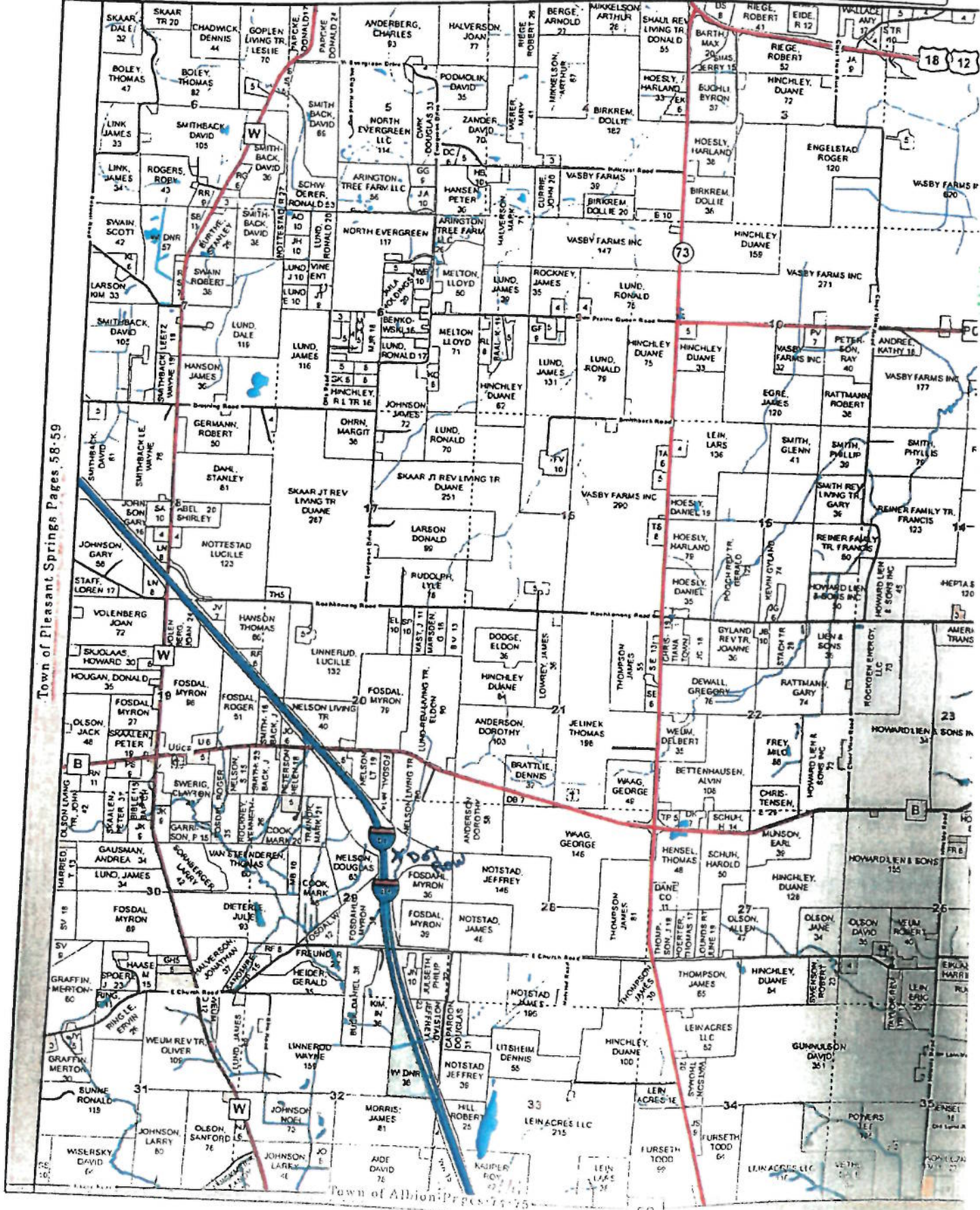


— Silt Fence
— Temp topsoil berm

Town of Christiana T-06-N R-12-E

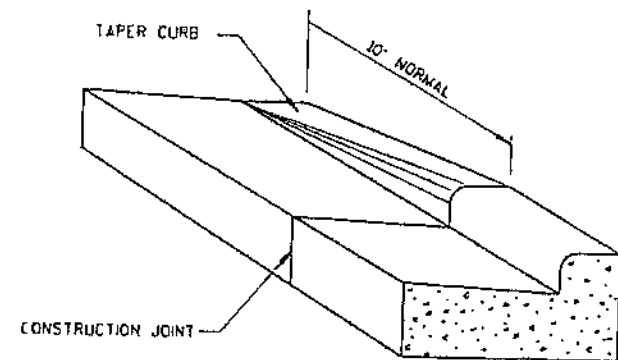
1 Church 1 Municipal Office Building
(T) Cemetery School Section Line
Park Land

Town of Deerfield Pages 46-47

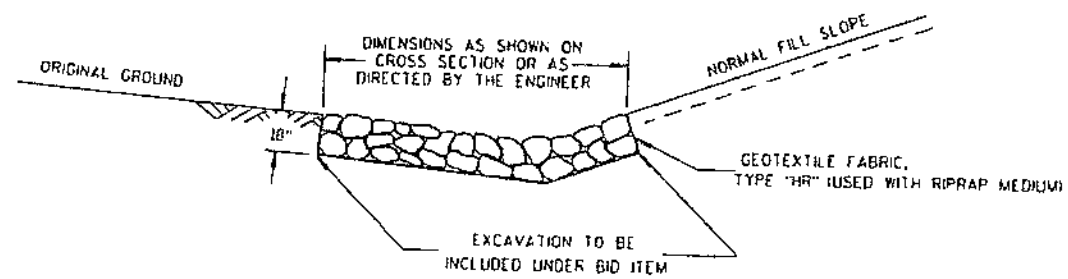


Town of Pleasant Springs Pages 58-59

Town of Allenton Pages 11-12



DETAIL OF CURB & GUTTER TERMINI



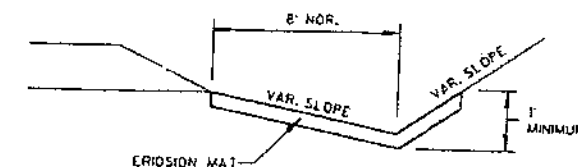
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TOTAL PROJECT AREA = 426.1 ACRES

TOTAL AREA EXPECTED TO BE DISTURBED BY CONSTRUCTION ACTIVITIES = 179.2 ACRES



EROSION MAT DETAIL FOR DITCHES

Calvin Turner

From: Cloud, Lynn - DOT <Lynn.Cloud@dot.wi.gov>
Sent: Wednesday, January 11, 2017 2:53 PM
To: Calvin Turner
Cc: Brian Aebly; Shawn Hoffman; Kevin Kaufman; Abu Al Eis, Khader - DOT; Grimes, Jennifer - DOT; Schultz, Brad J - DOT
Subject: Borrow/waste: 1007-11-75

Hi Calvin. The archival and literature reviews are complete (12 sites total). Eleven of the 12 sites are clear for use and I will follow up with a separate email providing the paperwork. The final site is state owned, and therefore, archaeological field survey would be required. When is your proposed date of need of that site?

Khader/Jenny/Brad, Do you have any issues or concerns with use of this WisDOT owned site?

Background information:

This selected site will require archaeological field survey since it is on state owned land. At this time, the ground and soil conditions are not favorable for a archaeological fieldwork. Once the survey conditions have improved (i.e. the ground is no longer frozen and there is no snow cover) the survey can be completed. When do you hope to use this site?

Additional Information:

CMM Chapter 1-58.1:

The guidelines for conducting archaeological studies of off-site construction activities fall into two categories: those in which an archaeological field survey is required and those where a literature and archival search is required.

Archaeological field surveys are required for off-site construction activities involving borrow, batch plants, haul roads, disposal areas, etc., in the following instances:

1. WisDOT's contract specifies the source of material.
2. The off-site activity occurs on state-owned land.

From: Calvin Turner [mailto:cturner@hoffcons.com]
Sent: Friday, January 06, 2017 2:37 PM
To: Cloud, Lynn - DOT <Lynn.Cloud@dot.wi.gov>
Cc: Brian Aebly <baebly@hoffcons.com>; Shawn Hoffman <shoffman@hoffcons.com>; Kevin Kaufman <kkaufman@hoffcons.com>
Subject: RE: Archaeological Survey

Lynn,

Please see DT1919 form Dot ROW.

Thanks,

Calvin Turner

Calvin Turner

From: Cloud, Lynn - DOT <Lynn.Cloud@dot.wi.gov>
Sent: Thursday, March 23, 2017 7:39 AM
To: Calvin Turner
Cc: Brian Aebly; Shawn Hoffman; Chris Goss; Kevin Kaufman; Vesperman, John - DOT; Grimes, Jennifer - DOT; Schultz, Brad J - DOT
Subject: RE: Message from KMBT_C353

UW-M was able to complete the field survey for the other WisDOT owned site. No cultural materials were identified, you are ok to proceed. Paperwork to follow at a later date.

Lynn

From: Cloud, Lynn - DOT
Sent: Monday, March 20, 2017 1:36 PM
To: 'Calvin Turner' <cturner@hoffcons.com>
Cc: Brian Aebly <baebly@hoffcons.com>; Shawn Hoffman <shoffman@hoffcons.com>; Chris Goss <cgoss@hoffcons.com>; Kevin Kaufman <kkaufman@hoffcons.com>; Vesperman, John - DOT <John.Vesperman@dot.wi.gov>; Grimes, Jennifer - DOT <Jennifer.Grimes@dot.wi.gov>; Schultz, Brad J - DOT <Brad.Schultz@dot.wi.gov>
Subject: RE: Message from KMBT_C353

Calvin, After our conversation this morning I spoke directly to UW-M about the WisDOT owned selected sites. It turns out, after more research was conducted the proposed WisDOT site (within the interchange) had been previous field surveyed in its entirety, and therefore, no additional field survey is required. This site is ok for use (pertaining to archaeology).

The other WisDOT proposed site will be field surveyed tomorrow, March 21st (assuming ground conditions are favorable).

Lynn

From: Calvin Turner [<mailto:cturner@hoffcons.com>]
Sent: Friday, January 13, 2017 9:58 AM
To: Cloud, Lynn - DOT <Lynn.Cloud@dot.wi.gov>
Cc: Brian Aebly <baebly@hoffcons.com>; Shawn Hoffman <shoffman@hoffcons.com>; Chris Goss <cgoss@hoffcons.com>; Kevin Kaufman <kkaufman@hoffcons.com>
Subject: FW: Message from KMBT_C353

Lynn,

Please see the DT1919 form for the DOT ROW.

Thanks,

Calvin Turner

Attachment 6: Property Owner Letter



Wisconsin Department of Transportation

Southwest Region Project Field Office

111 Interstate Boulevard

Edgerton, WI 53534

(608) 884-1234 | i39-90Project@dot.wi.gov | www.i39-90.wi.gov

April 13, 2017

RE: Construction kick-off informational meeting for project ID 1007-11-75
I-39/90, Dane/Rock County line – East Church Road, Dane County

Dear Property Owner:

As part of the I-39/90 Expansion Project, the Wisconsin Department of Transportation (WisDOT) will reconstruct and expand the northbound lanes of Interstate 39/90, between the Dane/Rock County line and East Church Road north of the US 51 interchange.

WisDOT is hosting an **informational meeting** for adjacent property owners to learn more about this project. The meeting will be held:

Tuesday, April 25, 2017

4:30 p.m. to 6 p.m.

(No formal presentation is scheduled; stop by at your convenience.)

WisDOT Southwest Region Project Field Office

Rock River Conference Rooms

111 Interstate Blvd., Edgerton, WI 53534

Please enter through the east side of the building (Door B)

Maps and displays will be available for viewing, as well as information on contractor operations, schedule, staging and material sites. WisDOT staff and the project contractor will be available to address questions from attendees.

We strongly encourage you to **register for project email updates on the I-39/90 Expansion Project website, www.i39-90.wi.gov, and click on the *Sign Up for Updates* tab.** You can also follow the project on Facebook at www.facebook.com/WisconsinI3990Project. This year's I-39/90 construction activities can be found on the project website as "2017 Construction Guide" under the Schedule section.

If you have any questions or concerns, or are unable to attend this meeting, please contact me at (608) 884-7130, christopher.fredrick@dot.wi.gov or 111 Interstate Blvd, Edgerton, WI 53534.

Sincerely,

Chris Fredrick

Chris Fredrick, P.E.

WisDOT Construction Project Manager

CC: Jennifer Grimes, I-39/90 Corridor Environmental Coordinator
Rich Cannon, P.E., I-39/90 Construction Project Supervisor
John Vesperman, P.E., I-39/90 Project Chief
Anna Varney, P.E., Senior Field Operations Engineer – Federal Highway Administration

Full Name	Address	City_State_Zip
MARK E JOHNSON & THERESA J JOHNSON	1009 MAPLE GROVE RD	EDGERTON WI 53534
IN SIK KIM & KYUNG SHIM KIM	1155 E CHURCH RD	CAMBRIDGE WI 53523
JAMES J JOHNSON JR	12 MAPLE CT	EDGERTON WI 53534
ALBERT J FRYE & MARGARET FRYE	122 GOEDE RD	EDGERTON WI 53534
LINNERUD TR, WAYNE & FAITH	1321 BILLS RD	CAMBRIDGE WI 53523
RANDY RAY KNICKMEIER	1481 COUNTY HIGHWAY A	STOUGHTON WI 53589
KELLY A SPLINTER & DALE K SPLINTER	1645 HAMMEN RD	EDGERTON WI 53534
PAMELA A UCHYTIL & NICHOLE L UCHYTIL	1654 S HAMMEN RD	EDGERTON WI 53534
MARLETTA HILL	1688 HAMMEN RD	CAMBRIDGE WI 53523
DOUGLAS H CAPAROON & BONNIE J CAPAROON	1842 HOMMEN RD	CAMBRIDGE WI 53523
CHARLES E BLACKBOURN & LYNN BLACKBOURN	200 GOEDE RD	EDGERTON WI 53534
RICHARD W VEDVIG	2035 WASHINGTON RD	STOUGHTON WI 53589
TANYA S SIMMONS & CYNTHIA E ANDERSON	215 GOEDE RD	EDGERTON WI 53534
NICK H HULL & ROXANNE HULL	2217 COUNTY HIGHWAY N	STOUGHTON WI 53589
WALTER J BLASKOWSKI	226 GOEDE RD	EDGERTON WI 53534
WILBERT S KNICKMEIER JR & SHIRLEY A KNICKMEIER	2661 LUNDE LN	MT HOREB WI 53572
ARTHUR H TEUBERT & LISA K TEUBERT	269 GOEDE RD	EDGERTON WI 53534
KEITH E HOLDEN & SHINKAY REV TR, JEROME A & ARDYS A	2727 W DEER PATH TRL	JANESVILLE WI 53545
DARWIN B ORMSON	311 PARK LN	EDGERTON WI 53534
MORRIS LE, JAMES W & MORRIS LE, JOANN H	317 NEUSE WINDS DR	ORIENTAL NC 28571
ROBERT JOSEPH HICKS	354 LAKE DRIVE RD	EDGERTON WI 53534
PETTIT PROPERTIES LLC	360 HAUGEN RD	EDGERTON WI 53534
STEVEN R DRAYS & SUSAN M DRAYS	40 GOEDE RD	EDGERTON WI 53534
EASTMAN HUNTING CLUB INC	411 WINDWOOD CIR	EDGERTON WI 53534
LINDA G REPPEN & JACOB A REPPEN	432 ALBION RD	EDGERTON WI 53534
MAURER REV TR, WALTER O SR	4346 71ST ST N	RIVIERA BEACH FL 33404
CURRENT OWNER	468 PIERCE RD	EDGERTON WI 53534
SHIRLE J BALIS	50 THRONSON DR	EDGERTON WI 53534
HENRY B BRATLAND SR & RITA R BRATLAND	517 STATE HIGHWAY 73	EDGERTON WI 53534
DAVID J RICHARDSON & JACQUELYN S RICHARDSON	52 GOEDE RD	EDGERTON WI 53534
JAMES O NOTSTAD	5217 TONYAWATHA TRL	MADISON WI 53716
NOTSTAD ARMSTRONG LLC	5217 TONYAWATHA TRL	MADISON WI 53716
BERT N BROOKENS & BRENDA J BROOKENS	544 ALBION RD	EDGERTON WI 53534
HARDING JT REV TR	560 ALBION RD	EDGERTON WI 53534
T AND R ENTERPRISES	5621 N NORTHWOOD TRCE	JANESVILLE WI 53545
TRUCK STOP LLC	568 HAUGEN RD	EDGERTON WI 53534
CURRENT OWNER	596 EDGERTON RD	EDGERTON WI 53534
OLSON LIVING TR, NANCY J	645 ALBION RD	EDGERTON WI 53534
RONALD J WALTER & MARY C WALTER	657 EDGERTON RD	EDGERTON WI 53534
CECILIA E WILLIAMS	66 GOEDE RD	EDGERTON WI 53534
CRAZY ACRES INC	720 HILLSIDE RD	EDGERTON WI 53534
LEIN ACRES LLC	730 COUNTY HIGHWAY A	EDGERTON WI 53534
ERIC C NUENTHEL & CHERYL L NUENTHEL	737 ALBION RD	EDGERTON WI 53534
ROBERT TELLEFSON & PATRICIA TELLEFSON	752 MAPLE GROVE RD	EDGERTON WI 53534
LENOX LANDSCAPE AND SUPPLY LLC	770 ALBION RD	EDGERTON WI 53534
ALEX J ARNOLD & RACHEL ARNOLD	777 COUNTY HIGHWAY A	EDGERTON WI 53534
MELVIN EMMONS BECKER & BONITA GAYLE BECKER	778 ALBION RD	EDGERTON WI 53534
STEVEN D HAGEMANN & GINGER L HAGEMANN	779 COUNTY HIGHWAY A	EDGERTON WI 53534
GAIL RICHARDSON	781 COUNTY HIGHWAY A	EDGERTON WI 53534
DANE COUNTY GROWERS	781 HILLSIDE RD	EDGERTON WI 53534
ROY KAUPER	800 COUNTY HIGHWAY A	EDGERTON WI 53534
CURRENT OWNER	901 BLAINE ST	EDGERTON WI 53534
PALZKILL PROPERTIES LLC	9255 ARROWHEAD SHORES RD	EDGERTON WI 53534
JEFFREY NOTSTAD	942 E CHURCH RD	CAMBRIDGE WI 53523
CURRENT OWNER	960 OCONOMOWOC PKWY	OCONOMOWOC WI 53064
RYAN P KAHL	987 MAPLE GROVE RD	EDGERTON WI 53534
ROGER ROENNEBURG	99 GOEDE RD	EDGERTON WI 53534
THOMAS D SPIKE & DOUGLAS L SPIKE	N1056 LAKE DR	EDGERTON WI 53534
VICKI L GRIDLEY & WILLIAM E GRIDLEY	N2885 COUNTY RD Z	DOUSMAN WI 53118
RANDALL D NELSON & ROLLAND D NELSON	N470 TAMARACK RD	PALMYRA WI 53156
LORAND LTD	PO BOX 239	PRAIRIE DU CHIEN WI 53821
HOESLY LIVING TR, BETTE	PO BOX 24	CAMBRIDGE WI 53523
ANNA VARNEY, FEDERAL HIGHWAY ADMINISTRATION	525 JUNCTION ROAD #8000	MADISON, WI 53717
BOB SALOV, COUNTY SUPERVISOR (DISTRICT 37)	2103 PLEASANT DRIVE	CAMBRIDGE WI 53523
CALVIN TURNER, HOFFMAN CONSTRUCTION COMPANY	123 COUNTY RD A	BLACK RIVER FALLS WI 54615
DOROTHY L ANDERSON & CAROL A ALME	1024 COUNTY HIGHWAY B	CAMBRIDGE WI 53523
DOUGLAS O NELSON & CARIE J NELSON	2107 UTICA RD	CAMBRIDGE WI 53523
GARY RATTMAN, TOWN OF CHRISTIANA CHAIRMAN	2586 HIGHLAND DRIVE	CAMBRIDGE WI 53523
GEORGE WAAG, PUBLIC WORKS SUPERVISOR	773 KOSHKONONG ROAD	CAMBRIDGE WI 53523
JEFFERY NOTSTAD & SANDRA L NOTSTAD	942 E CHURCH RD	CAMBRIDGE WI 53523
JERRY MANDLI, DANE COUNTY HIGHWAY COMMISSIONER	2302 FISH HATCHERY ROAD	MADISON WI 53713
JIM HOFFMAN, CONSTRUCTION COMPANY	123 COUNTY RD A	BLACK RIVER FALLS WI 54615
MYRON C FOSDAHL	1144 COUNTY HIGHWAY B	CAMBRIDGE WI 53523
ROBERT VENSKE, TOWN OF ALBION CHAIRMAN	170 HILLSIDE ROAD	EDGERTON WI 53534
SHAWN HOFFMAN, CONSTRUCTION COMPANY	123 COUNTY RD A	BLACK RIVER FALLS WI 54615
RAMONA FLANIGAN, CITY ADMINISTRATOR	12 ALBION STREET	EDGERTON WI 53534
ROCK COUNTY SHERIFF'S OFFICE	200 E US HIGHWAY 14	JANESVILLE WI 53545
DANE COUNTY SHERIFF'S OFFICE	115 W DOTY STREET	MADISON WI 53703
CAMBRIDGE FIRE DEPARTMENT/EMS	271 WEST MAIN STREET	CAMBRIDGE WI 53523
EDGERTON FIRE DEPARTMENT/EMS	621 NORTH MAIN STREET	EDGERTON WI 53534
WISCONSIN STATE PATROL, DE FOREST POST	911 W NORTH STREET	DEFOREST WI 53532-1971

Attachment 7: WDNR Concurrence Letter



April 26, 2017

Jennifer Grimes
Environmental Analysis & Review Specialist
Mega Team Projects
WisDOT SW Region - Edgerton
111 Interstate Blvd
Edgerton, WI 53534

Subject: DNR Comments and Concurrence
Project I.D. 1007-11-75
DOT Aggregate Site
Dane County
Section 29 of Township 6 North, Range 12 East

Dear Ms. Grimes:

Thank you for the information regarding the project referenced above. The project includes a contractor proposed aggregate site that will be used exclusively for the Interstate Reconstruction 1007-11-75 project. This site is located on WisDOT owned right-of-way that has been used for storing and wasting materials from previous highway construction and maintenance. The property consists of upland old field with typical upland grass, shrub and tree species found in south eastern Dane County. The proposal would utilize material on the property for construction of the above referenced project. At the conclusion of the 1007-11-75 project, the material removal operations on the site will cease and the site will be restored and stabilized. Additional details are in the project submittal.

Based on the information provided to the Wisconsin Department of Natural Resources (DNR), the project design addresses the environmental issues raised through the 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.

Public Lands:

There are no public natural or recreation areas on or adjacent to the property.

Endangered Resources:

Based upon a review of the Natural Heritage Inventory (NHI) and other DNR records dated April 26, 2017, no Endangered Resources or suitable habitat that could be impacted by this project are known or likely to occur in the project area or its vicinity. There are no northern long-eared bat roost sites, hibernaculum or observances identified on the NHI database within 2 miles of the project site. There are no rusty patched bumble-bee observances for greater than 2 miles from the project site and the site is not identified as occurring within the high potential zone for the species.

Wetlands:

There were no wetlands identified on the property during a site review. There are no wetland concerns with this proposal.

Fisheries/Stream Work:

There is an intermittent drainage way that originates north of the property, passes through a long culvert on the property, and flows south off the site. The downstream end of the culvert is perched several feet above the stream bed and is a complete barrier to passage by aquatic organisms attempting to pass upstream. The proposal does not include any work on this structure or within this waterway and there are no concerns provided that good erosion control best management practices are followed during the project.

Burning:

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

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

If you have any questions, please contact this office at (608) 275-3301, or email at eric.heggelund@wisconsin.gov.

Sincerely,

Eric Heggelund

Eric Heggelund
Environmental Analysis & Review Specialist

Attachment 8: USFWS Federal Species Effect Determination

From: Horton, Andrew
To: [Grimes, Jennifer - DOT](#)
Cc: [Barrette, Alyssa - DOT](#); [Voorhees, John](#); [Meurer, Bob T. - DOT](#); [DOT I39 Project](#)
Subject: Re: USFWS Consultation Code: 03E17000-2017-SLI-0444 Request to Initiate Informal Section 7 Consultation: NLEB, Rusty Patched BB for WisDOT I-39 Corridor, DOT Aggregate Select Site [1007-11-75]
Date: Thursday, April 27, 2017 12:01:22 PM
Attachments: [image003.png](#)

Jennifer,

Thanks for the update. Because it is outside of the mapped high potential zones, we would consider this to be a "no effect".

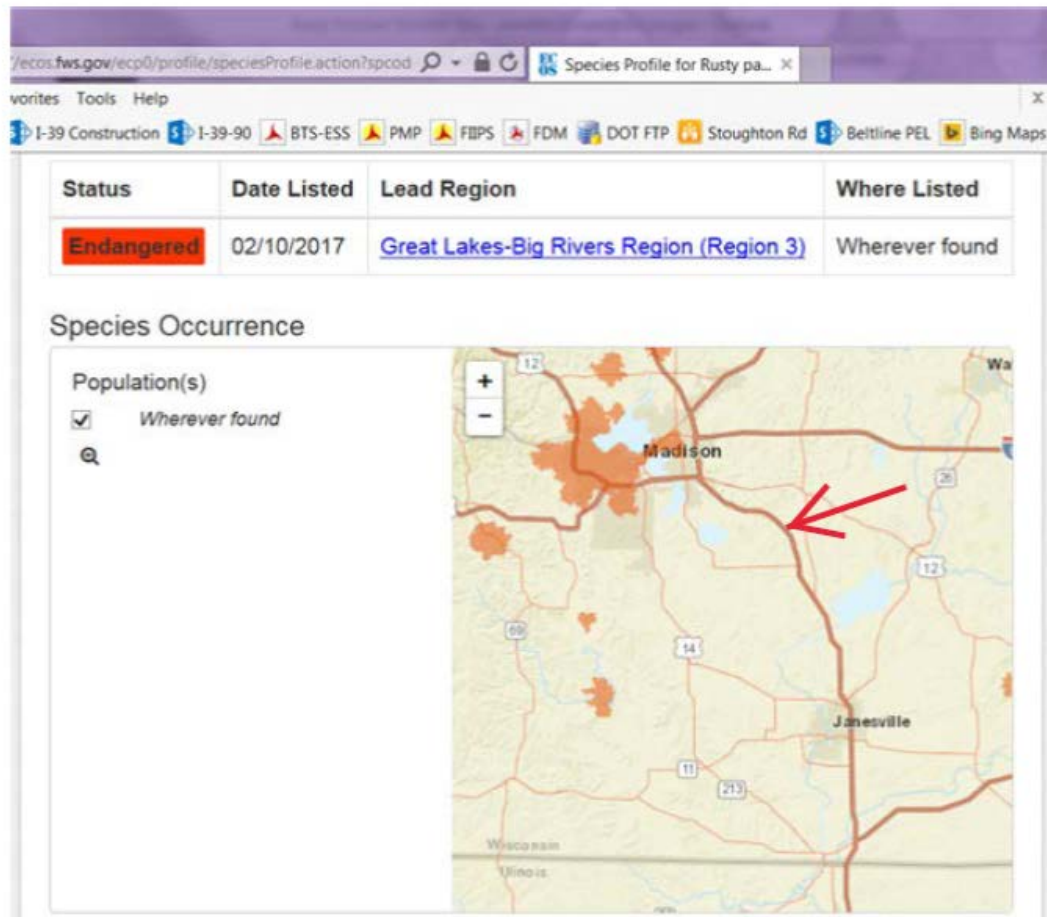
- Andrew

Andrew Horton
Minnesota/Wisconsin Field Office
U.S. Fish and Wildlife Service
4101 American Blvd East
Bloomington, MN 55425-1665
(952) 252-0092, ext. 208

On Thu, Apr 27, 2017 at 11:04 AM, Grimes, Jennifer - DOT <Jennifer.Grimes@dot.wi.gov> wrote:

Andrew,

I am completing the Categorical Exclusion (CE) environmental document for FHWA and have not received a response regarding the finding of may affect – not likely to adversely affect for the Rusty Patched Bumble Bee. The snapshot below was taken from the USFWS website on 4/19/17. There are no known occurrences or high potential areas that represent locations where there is a high potential for the species to be present along the I-39 Corridor in the vicinity of the DOT Aggregate Select Site (red arrow).



The following statement is from the attached WDNR letter for the DOT Aggregate Select Site:

Based upon a review of the Natural Heritage Inventory (NHI) and other DNR records dated April 26, 2017, no Endangered Resources or suitable habitat that could be impacted by this project are known or likely to occur in the project area or its vicinity. There are no northern long-eared bat roost sites, hibernaculum or observances identified on the NHI database within 2 miles of the project site. There are no rusty patched bumble-bee observances for greater than 2 miles from the project site and the site is not identified as occurring within the high potential zone for the species.

Do you concur with the finding of may affect – not likely to adversely affect for the Rusty Patched Bumble Bee?

Thank you,

Jenny

From: [Grimes, Jennifer - DOT](#)
To: [Andrew Horton USFWS](#)
Cc: [Barrette, Alyssa - DOT](#); [John Voorhees \(John.Voorhees@aecom.com\)](#); [Meurer, Bob T - DOT](#); [DOT I39 Project](#)
Subject: Request to Initiate Informal Section 7 Consultation: NLEB, Rusty Patched BB for WisDOT I-39 Corridor, DOT Aggregate Select Site [1007-11-75]
Date: Thursday, March 09, 2017 4:00:27 PM
Attachments: [1007-11-75 DOT Aggregate Fed Species Effect Determination w attachments.pdf](#)

USFWS Consultation Code: 03E17000-2017-SLI-0444

WisDOT ID# 1007-11-75

I-39/90 Corridor, DOT Aggregate Select Site

Dane County, WI

Andrew,

WisDOT, on behalf of FHWA, is submitting the following information and determination to fulfil Section 7(a)(2) responsibilities under the ESA pertaining to potential impacts to the following species: Whooping Crane, Higgins Eye Pearly Mussel, Eastern Prairie Fringed Orchid, Mead's Milkweed, Prairie brush-clover, Northern Long-eared Bat, and the Rusty Patched Bumble Bee for the DOT Aggregate Select Site ("selected sites" are chosen by the highway contractor for the purposes of hauling borrow and waste material for the adjacent highway reconstruction.)

WisDOT intends to rely on the programmatic biological opinion for the Northern Long-eared Bat, developed for the final 4(d) rule and this submittal to satisfy our Section 7(a)(2) responsibilities, as outlined in the streamlined consultation framework.

- In accordance with the final 4(d) rule issued for the northern long-eared bat, WisDOT has determined that the proposed activity along I-39/90, described in greater detail in the attached documentation, may affect but will not result in prohibited take of the NLEB. The activity involves tree removal, but will not occur within 0.25 miles of a known hibernacula, nor will the activity remove a known maternity roost tree or any other tree within 150 feet of a known maternity roost tree from June 1 – July 31.

In the table describing the effect findings related to the federal species, all remaining species received a no effect determination, except that a may affect – not likely to adversely affect finding has been made for the Rusty Patched Bumble Bee. Please reply with concurrence related to this finding.

Additional project/supporting information is included in the attached .pdf. If you need additional information, feel free to contact me at 608-884-1147.

Thank you,

Jenny

Jennifer Grimes

Environmental Analyst & Review Specialist

Mega Team Projects & Planning Majors Studies

WisDOT Southwest Region – Edgerton

111 Interstate Blvd, Edgerton, WI 53534

 Phone 608.884.1147 | Cell 608.516.9760

 jennifer.grimes@dot.wi.gov

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

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

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

Information to Determine 4(d) Rule Compliance:

YES NO

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

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

Agency and Applicant³ (Name, Email, Phone No.): WisDOT, on behalf of FHWA. Jennifer Grimes, jennifer.grimes@dot.wi.gov, (608) 884-1147

Project Name: WisDOT ID# WisDOT ID#1007-11-75, DOT Aggregate Selected Site

Project Location (include coordinates if known): Site location is an approximately 17-acre excess parcel in ownership by WisDOT located at T29-R6-Section 12 SE1/4 NE1/4 The site is located along Interstate 39/90 in Dane Co, WI and is a "selected site" chosen by the contractor for the purposes of hauling borrow and waste material for the adjacent highway reconstruction.

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

An official species list was generated using the IPaC tool on 3/8/17 (Consultation Code: 03E17000-2017-SLI-0444). Effect determinations for the federally listed species identified in the official species list are included in the attached table.

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

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

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

Wisconsin Department of Natural Resources (WDNR) reviewed their Natural Heritage Inventory (NHI) database on 1/26/17 and 2/17/17 for Rock and Dane Counties. In that review, WDNR determined that there are no known NLEB maternity roost trees within 150 feet and no known hibernacula within 0.25 miles of the I-39/90 project corridor.

General Project Information	YES	NO
Does the project occur within 0.25 miles of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project occur within 150 feet of a known maternity roost tree?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project include forest conversion ⁴ ? (if yes, report acreage below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Estimated total acres of forest conversion	13.5	
If known, estimated acres ⁵ of forest conversion from April 1 to October 31	13.5	
If known, estimated acres of forest conversion from June 1 to July 31 ⁶	0	
Does the project include timber harvest? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated wind capacity (MW)		

Agency Determination:

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

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

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

Signature: Jennifer Grimes Date Submitted: March 9, 2017

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

⁵ If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

⁶ If the activity includes tree clearing in June and July, also include those acreage in April to October.

	Status	Habitat Summary*	Habitat Present (Y/N)	Effect Finding	Justification
Birds					
Whooping Crane (<i>Grus americana</i>)	Experimental Population, Non-Essential	Open wetlands and lakeshores	N	No Effect	This is a non-essential experimental population. A review of Wisconsin Department of Natural Resources (DNR) Natural Heritage Inventory (NHI) Database did not identify previous occurrences or suitable habitat for this species.
Clams					
Higgins eye pearly mussel (<i>Lampsilis higginsii</i>)	Endangered	The Higgins eye is a freshwater mussel of larger rivers where it is usually found in deep water with moderate currents.	N	No Effect	No crossings of suitable habitat would occur as part of this project. A review of Wisconsin DNR's Natural Heritage Database did not identify previous occurrences or suitable habitat for this species.
Flowering Plants					
Eastern Prairie Fringed Orchid (<i>Platanthera leucophaea</i>)	Threatened	The eastern prairie fringed orchid occurs in a wide variety of habitats, from mesic prairie to wetlands such as sedge meadows, marsh edges, even bogs.	N	No Effect	Impacts to suitable habitat would not occur as part of this project. A review of Wisconsin DNR's Natural Heritage Database did not identify suitable habitat for this species.
Mead's Milkweed (<i>Asclepias meadii</i>)	Threatened	This milkweed requires moderately wet (mesic) to moderately dry (dry mesic) upland tallgrass prairie or glade/barren habitat characterized by vegetation adapted for drought and fire.	N	No Effect	Impacts to suitable habitat would not occur as part of this project. A review of Wisconsin DNR's Natural Heritage Database did not identify previous occurrences or suitable habitat for this species.
Prairie bush-clover (<i>Lespedeza leptostachya</i>)	Threatened	This plant prefers lightly disturbed areas such as forest openings, wood edges and where bluffs descend to streams. It also grows along highway rights-of-way and powerline corridors.	N	No Effect	Impacts to suitable habitat would not occur as part of this project. A review of Wisconsin DNR's Natural Heritage Database did not identify suitable habitat for this species.

Mammals					
Northern long-eared Bat (<i>Myotis septentrionalis</i>)	Threatened	Hibernates in caves and mines-swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.	N	May Affect – Not Likely to Adversely Affect	Impacts to suitable habitat would not occur as part of this project. A review of Wisconsin DNR's Natural Heritage Database did not identify suitable habitat for this species.
Insects					
Rusty patched bumble bee (<i>Bombus affinis</i>)	Endangered	Bumble bees need areas that provide nectar and pollen from flowers, nesting sites (underground and abandoned rodent cavities or clumps of grasses), and overwintering sites for hibernating queens (undisturbed soil).	N	May Affect – Not Likely to Adversely Affect	Impacts to suitable habitat would not occur as part of this project. A review of Wisconsin DNR's Natural Heritage Database did not identify previous occurrences or suitable habitat for this species.

*Habitat Summary information obtained from USFWS Species Fact Sheets.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Green Bay Ecological Services Field Office
2661 SCOTT TOWER DRIVE
NEW FRANKEN, WI 54229
PHONE: (920)866-1717 FAX: (920)866-1710

Consultation Code: 03E17000-2017-SLI-0444

March 09, 2017

Event Code: 03E17000-2017-E-00822

Project Name: WisDOT ID#1007-11-75, DOT Aggregate Selected Site

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: WisDOT ID#1007-11-75, DOT Aggregate Selected Site

Official Species List

Provided by:

Green Bay Ecological Services Field Office
2661 SCOTT TOWER DRIVE
NEW FRANKEN, WI 54229
(920) 866-1717

Consultation Code: 03E17000-2017-SLI-0444

Event Code: 03E17000-2017-E-00822

Project Type: TRANSPORTATION

Project Name: WisDOT ID#1007-11-75, DOT Aggregate Selected Site

Project Description: The site is located along Interstate 39/90 in Dane Co, WI and is a "selected site" chosen by the contractor for the purposes and borrow and waste material for the adjacent highway reconstruction.

T29-R6-Section 12 SE1/4 NE1/4

The existing site was used by the Dane County Highway Dept. to dump concrete and waste in the past. The topsoil will be stripped and placed in a berm around the perimeter of the site. The overburden will be stripped and placed over the concrete pile area to restore the site. The contractors intends on mining 200,000 CY of rock out of the proposed location. They will also be hauling excavated marsh material and excavation below subgrade (EBS) material back into the pond.

The following sequence of major land disturbance as follows:

March 2017: Erosion Control installation

April 2017: Clearing and grubbing (tree removal); strip overburden and fill

May – October 2017: Blasting, crushing & loading rock for I-39/90 highway construction

November 2017: Restoring the site - Upon completion of the selected site, the contractor intends to place topsoil and use temp seed and mulch to stabilize the site.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by'



United States Department of Interior
Fish and Wildlife Service

Project name: WisDOT ID#1007-11-75, DOT Aggregate Selected Site

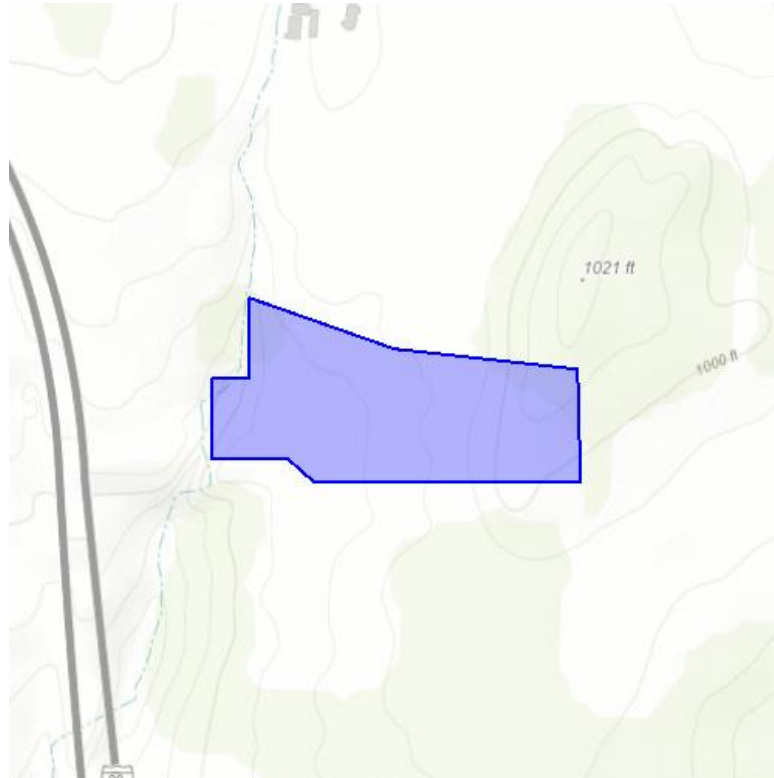
section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: WisDOT ID#1007-11-75, DOT Aggregate Selected Site

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-89.09529089927675 42.9585504033617, -89.09167528152466 42.958558255226485, -89.09171819686891 42.95968106157647, -89.09419655799867 42.95988520598425, -89.09618139266968 42.96039556404042, -89.09619212150574 42.95958684085211, -89.09669637680055 42.95958684085211, -89.09669637680055 42.95878595886979, -89.09565567970277 42.95878595886979, -89.09529089927675 42.9585504033617)))

Project Counties: Dane, WI



United States Department of Interior
Fish and Wildlife Service

Project name: WisDOT ID#1007-11-75, DOT Aggregate Selected Site

Endangered Species Act Species List

There are a total of 7 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Whooping crane (<i>Grus americana</i>) Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY)	Experimental Population, Non-Essential		
Clams			
Higgins eye (<i>Lampsilis higginsii</i>) Population: Wherever found	Endangered		
Flowering Plants			
Eastern Prairie Fringed orchid (<i>Platanthera leucophaea</i>) Population: Wherever found	Threatened		
Mead's milkweed (<i>Asclepias meadii</i>) Population: Wherever found	Threatened		
Prairie bush-clover (<i>Lespedeza leptostachya</i>) Population: Wherever found	Threatened		
Insects			



United States Department of Interior
Fish and Wildlife Service

Project name: WisDOT ID#1007-11-75, DOT Aggregate Selected Site

rusty patched bumble bee (<i>Bombus affinis</i>) Population: Wherever found	Endangered		
Mammals			
Northern long-eared Bat (<i>Myotis septentrionalis</i>) Population: Wherever found	Threatened		



United States Department of Interior
Fish and Wildlife Service

Project name: WisDOT ID#1007-11-75, DOT Aggregate Selected Site

Critical habitats that lie within your project area

There are no critical habitats within your project area.

From: [Heggelund, Eric P - DNR](#)
To: [Grimes, Jennifer - DOT](#)
Subject: 1001-10-02 I-39 Corridor, Illinois state line - US 12/18, Rock Co. & Dane Co.: DNR NHI Review (1/26/17)
Date: Thursday, January 26, 2017 2:01:34 PM

Jenny,

Based on a review of the NHI database for the IH39 corridor, there are no listed endangered, threatened or special concern species known or likely to occur with the project area. There are no NLEB roost sites or hibernaculum within a mile of the project corridor. Additionally, there are no occurrences of the eastern massasauga rattlesnake or rusty patch bumble bee within a mile of the corridor.

Let me know if you need anything else.

Eric

We are committed to service excellence.

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

Eric Heggelund

Phone: 608-275-3301

Cell: 608-228-7927

Eric.heggelund@wisconsin.gov

From: Grimes, Jennifer - DOT
Sent: Wednesday, January 25, 2017 4:24 PM
To: Heggelund, Eric P - DNR; Bub, Laura A - DNR
Cc: DOT I39 Project
Subject: I-39 Corridor, Illinois state line - US 12/18, Rock Co. & Dane Co.: Request for NHI review

Laura and Eric,

It's time again for an overall NHI review for the I-39 Corridor from the Illinois state line to the US 12/18 Interchange (Madison Beltline). This is the 2nd year where I plan to submit information for consultation to the USFWS for the Section 404 permit applications and construction projects for that year, instead of coordinating on each permit or project individually for 2017 federal actions.

In addition to your general review, I am requesting that your NHI review response that you determine species occurrences and potential impacts for the following newly listed species and/or their habitat specifically, so I can address any concerns with FHWA and USACE:



1. Northern Long-eared Bat (NLEB) with respect to the following criteria in the Final 4(d) rule (effective February 16, 2016) for tree removal:
 - a. Within ¼ mile of a known hibernaculum, any time of year

- b. Within 150 feet of a known, occupied maternity roost tree during the pup season (June 1 – July 31)
 - c. Destroys a known, occupied maternity roost tree during the pup season (June 1 – July 31)
- 2. Eastern Massasauga Rattlesnake
 - a. Listed Threatened under Federal Endangered Species Act (effective October 31, 2016)
 - b. Not federally regulated in Dane or Rock Counties
- 3. Rusty Patched Bumble Bee
 - a. Listed Endangered under Federal Endangered Species Act (effective February 10, 2017)
 - c. Federally regulated in Dane County; Not federally regulated in Rock County

If you need any additional materials to complete your review, please let me know. I have attached the latest version of the 2017 construction map for the corridor.

Jenny

Jennifer Grimes

Environmental Analyst & Review Specialist
Mega Team Projects & Planning Majors Studies
WisDOT Southwest Region – Edgerton
111 Interstate Blvd, Edgerton, WI 53534
 Phone 608.884.1147 | Cell 608.516.9760
 jennifer.grimes@dot.wi.gov

From: [Bub, Laura A - DNR](#)
To: [Grimes, Jennifer - DOT](#)
Subject: RE: I-39 Corridor, Illinois state line - US 12/18, ROCK COUNTY NHI review
Date: Friday, February 17, 2017 4:33:14 PM

Hi Jenny,

The Wisconsin Natural Heritage Inventory (NHI Portal) database was reviewed on February 17, 2017 for the I-39/90 Corridor in **Rock County** between the Dane County line and the Wisconsin/Illinois state line.

The NHI Portal 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 regular basis. The NHI Portal was consulted for this project and 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.

Additionally, at this time, there are no records in the NHI Portal within this project boundary for either the Eastern Massasauga Rattlesnake or the Rusty Patched Bumble Bee.

Finally, there are not expected to be any impacts to state-listed species, as suitable habitat is not present within the project boundaries.

Thanks for your coordination. If you need any additional information, please let me know.

Laura

We are committed to service excellence.

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

Laura Bub

Phone: (608) 275-3485

Laura.Bub@Wisconsin.gov

From: Grimes, Jennifer - DOT
Sent: Wednesday, January 25, 2017 4:24 PM
To: Heggelund, Eric P - DNR; Bub, Laura A - DNR
Cc: DOT I39 Project
Subject: I-39 Corridor, Illinois state line - US 12/18, Rock Co. & Dane Co.: Request for NHI review

Laura and Eric,

It's time again for an overall NHI review for the I-39 Corridor from the Illinois state line to the US 12/18 Interchange (Madison Beltline). This is the 2nd year where I plan to submit information for consultation to the USFWS for the Section 404 permit applications and construction projects for

that year, instead of coordinating on each permit or project individually for 2017 federal actions.

In addition to your general review, I am requesting that your NHI review response that you determine species occurrences and potential impacts for the following newly listed species and/or their habitat specifically, so I can address any concerns with FHWA and USACE:

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 - a. Within ¼ mile of a known hibernaculum, any time of year
 - b. Within 150 feet of a known, occupied maternity roost tree during the pup season (June 1 – July 31)
 - c. Destroys a known, occupied maternity roost tree during the pup season (June 1 – July 31)
2. Eastern Massasauga Rattlesnake
 - a. Listed Threatened under Federal Endangered Species Act (effective October 31, 2016)
 - b. Not federally regulated in Dane or Rock Counties
3. Rusty Patched Bumble Bee
 - a. Listed Endangered under Federal Endangered Species Act (effective February 10, 2017)
 - c. Federally regulated in Dane County; Not federally regulated in Rock County

If you need any additional materials to complete your review, please let me know. I have attached the latest version of the 2017 construction map for the corridor.

Jenny

Jennifer Grimes

Environmental Analyst & Review Specialist

Mega Team Projects & Planning Majors Studies

WisDOT Southwest Region – Edgerton

111 Interstate Blvd, Edgerton, WI 53534

 Phone 608.884.1147 | Cell 608.516.9760

 jennifer.grimes@dot.wi.gov

Attachment 9: Section 106 Review Form

17-0394/DA
SHPO



SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION

Wisconsin Department of Transportation
DT1635 6/2014

RECEIVED
APR 14 2017

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

I. PROJECT INFORMATION

☐ Amended Submittal (include new information only)

Project ID Construction ID 1007-11-75	Highway – Street I-39/90	County Dane
Project Termini S. Dane County Line – East Church Road, DOT Aggregate Selected Site	Region – Office SW Region - Edgerton Project Office	
Regional Project Engineer – Project Manager Chris Fredrick, christopher.fredrick@dot.wi.gov	(Area Code) Telephone Number (608) 884-7130	
Consultant Project Engineer – Project Manager N/A	(Area Code) Telephone Number N/A	
Archaeological Consultant Brian D. Nicholls, UW-Milwaukee Cultural Resource Management	(Area Code) Telephone Number (414) 405-1171	
Architecture/History Consultant N/A	(Area Code) Telephone Number N/A	
Date of Need 5/13/17	SHSW Number	
Return a Signed Copy of This Form to Jennifer Grimes, jennifer.grimes@dot.wi.gov, (608) 884-1147		

II. PROJECT DESCRIPTION

Project Length 19.34 acre site miles	Land to be Acquired: Fee Simple current WisDOT ROW acres	Land to be Acquired: Easement 0 acres
---	---	--

Distance as measured from existing centerline	Existing	Proposed	Other Factors	Existing	Proposed
Right-of-Way Width N/A			Terrace Width N/A		
Shoulder N/A			Sidewalk Width N/A		
Slope Intercept N/A			Number of Lanes N/A		
Edge of Pavement N/A			Grade Separated Crossing N/A		
Back of Curb Line N/A			Vision Triangle N/A acres		
Realignment			Temporary Bypass N/A acres		
Other – List: N/A			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 checked="" type="checkbox"/> Yes	<input 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 Wisconsin Department of Transportation (WisDOT), in cooperation with the Federal Highway Administration, is considering an undertaking located on WisDOT-owned right-of-way adjacent to the northbound lanes of I-39/90, south of County Highway B in the town of Christiana, Dane County, Wisconsin (T6N R12E Sec 29, SE ¼, NE ¼).

The proposed site is approximately 19 acres and the plan includes a construction contractor to remove the topsoil and subsoil, and excavate the rock underneath for use on the project. The site would also be temporarily utilized to store additional construction materials for the project.

☐ Add continuation sheet, if needed.

SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION (continued)

Wisconsin Department of Transportation DT1635

III. CONSULTATION

How has notification of the project been provided to:

- | | | |
|---|--|--|
| <input checked="" 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 checked="" type="checkbox"/> Letter - Required for Archaeology | <input checked="" type="checkbox"/> Letter | <input checked="" type="checkbox"/> Letter |
| <input type="checkbox"/> Telephone Call | <input type="checkbox"/> Telephone Call | <input type="checkbox"/> Telephone Call |
| <input checked="" type="checkbox"/> Other: meeting w/ adjacent prop. owners | <input type="checkbox"/> Other: | <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.

The Area of Potential Effects (APE) for architecture/history is limited to the WisDOT owned parcel, and no other properties will be affected by the project.

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 4/12/17 (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

X  4/12/17
(Regional Project Manager Signature) (Date - m/d/yy)

X  4/13/17
(WisDOT Historic Preservation Officer Signature) (Date - m/d/yy)

X 
(State Preservation Officer Signature) (Date - m/d/yy)

X
(Consultant Project Manager Signature) (Date - m/d/yy)

April 20 2017

Attachment 10: Native American Tribal Letter



Wisconsin Department of Transportation

Southwest Region Project Field Office

111 Interstate Boulevard

Edgerton, WI 53534

(608) 884-1234 | i39-90Project@dot.wi.gov | www.i39-90.wi.gov

April 13, 2017

Tribal Contact

Tribal Address line 1

Tribal Address line 2

City, State Zip Code

**Subject: Notice of Federal Undertaking and Request for Comments Under 36 CFR 800
I-39/90, Dane/Rock County Line – East Church Road, Dane County
WisDOT Project I.D. 1007-11-75**

(Note: this letter supersedes the previous one sent; please disregard the letter dated April 12.)

The Wisconsin Department of Transportation (WisDOT), in cooperation with the Federal Highway Administration, is considering an undertaking located on WisDOT-owned right-of-way adjacent to the northbound lanes of I-39/90, south of County Highway B in the town of Christiana, Dane County, Wisconsin (T6N R12E Sec 29, SE ¼, NE ¼).

The proposed site is approximately 19 acres and the plan includes a construction contractor to remove the topsoil and subsoil, and excavate the rock underneath for use on the project. The site would also be temporarily utilized to store additional construction materials for the project.

Your tribe has requested to be notified of undertakings in this area of Wisconsin. Attached is a map showing the boundary of the proposed undertaking to assist you in providing comments regarding the determination of the area of potential effect (APE) and potential impacts to historic properties and/or burial sites.

WisDOT would be pleased to receive any comments your tribe wishes to share regarding the determination of the APE or potential impacts to historic properties and/or burials in this undertaking. Additional environmental studies may be conducted to include endangered species survey, contaminated material investigations, soil testing and right-of-way surveys. To ensure your comments are considered during the evaluation of the contractor's proposal for use of the property, WisDOT requests a response within 30 days of receipt of this letter.

If your tribe wishes to become a consulting party under Section 106 of the National Historic Preservation Act or would like to receive additional information regarding this proposed project, please contact me at (608) 884-7130, christopher.fredrick@dot.wi.gov or 111 Interstate Blvd, Edgerton, WI 53534.

Sincerely,

Chris Fredrick

Chris Fredrick, P.E.

WisDOT Construction Project Manager

CC: Steven Krebs, WisDOT Bureau of Technical Services
Jennifer Grimes, I-39/90 Corridor Environmental Coordinator

Attachment: Project Location Map

Distribution List

Company	Title	First Name	Last Name	Credentials	Office Building	Address1	Address2	City	State	Postal Code
Bad River Band of Lake Superior Chippewa Indians of Wisconsin	Ms.	Edith	Leoso	THPO		P.O. Box 39		Odanah	WI	54861
Forest County Potawatomi Community of Wisconsin	Mr.	Michael	LaRonge	THPO	Tribal Office	P.O. Box 340		Crandon	WI	54520
Ho-Chunk Nation	Mr.	William	Quackenbush	THPO	Executive Offices	P.O. Box 667		Black River Falls	WI	54615
Lac Vieux Desert Band of Lake Superior Chippewa Indians	Ms.	Giiwegiizhigookwaay	Martin	THPO	Ketegitigaaning Ojibwe Nation	N4698 US 45		Water-smeet	MI	49969
Prairie Band Potawatomi Nation	Ms.	Hattie	Mitchell	THPO		16281 Q Road		Mayetta	KS	66509
Prairie Island Indian Community	Mr.	Noah	White	THPO		5636 Sturgeon Lake Road		Welch	MN	55089
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin	Mr.	Larry	Balber	THPO	Red Cliff Band of Lake Superior Chippewa Indians	88385 Pike Road, Highway 13		Bayfield	WI	54814
Sac and Fox Nation of Missouri in Kansas and Nebraska	Mr.	Gary	Bahr			305 North Main		Reserve	KS	66434
Sac and Fox Nation of Oklahoma	Ms.	Sandra	Massey	NAGPRA Representative		RR 2, Box 246		Stroud	OK	74079
Sac and Fox of the Mississippi in Iowa	Mr.	Jonathan	Buffalo	NAGPRA Representative		349 Meskwaki Road		Tama	IA	52339