

Information for File #2011-01629-RJH

Applicant: Matthew Ternes

Corps Contact: Ryan Huber, U. S. Army Corps of Engineers, 211 North Broadway, Suite 221, Green Bay, Wisconsin 54303; ryan.j.huber@usace.army.mil; (651) 290-5859.

Primary County: Oconto

Location: Section 24, Township 28N, Range 19E and Sections 19-23 Township 28N, Range 20E

Information Complete On: 6-15-2015

Posting Expires On: 7-24-2015

Authorization Type: Section 404 Letter of Permission

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 07-01. We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Our jurisdictional review and final jurisdictional determination could result in modifications to the scope of the project's regulated waterbody/wetland impacts and compensatory mitigation requirements identified above. A preliminary or approved jurisdictional determination will be made prior to reaching a permit decision. If an approved determination is made, it will be posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/>.

PROJECT DESCRIPTION AND PURPOSE: The Wisconsin Department of Transportation has applied for a Department of the Army permit to discharge dredged and fill material into waters of the United States to recondition a 4.22 mile segment of WIS 22 from Highland Drive to US 141. The purpose of the project is to improve the pavement and roadway deficiencies, correct drainage problems, and improve bicycle connectivity to existing state trails along WIS 22

NAME, AREA AND TYPES OF WATERS (INCLUDING WETLANDS) SUBJECT TO LOSS: Approximately 0.90 acres of wet meadow wetlands and 1.27 acres of shallow marsh wetlands would be permanently filled as a result of the proposed road reconstruction project. Approximately 148 linear feet of stream, including impacts to Splinter Creek (80 linear feet) and one unnamed tributary (68 linear feet) would also be impacted by culvert replacements and extensions along the project corridor.

ALTERNATIVES CONSIDERED: The no-build alternative would avoid impacts to wetlands; however the alternative was eliminated by the applicant because it failed to address the need and purpose of the project. Additional alternatives considered and dismissed include:

- Reconstruct the highway by placing base course throughout the entire project limits and pave an asphalt overlay. Reconstruction of three intersections on WIS22: Fireside Road/ County I, Larson Lane, and Younger Road. Widen the existing three-foot paved shoulders to five feet to accommodate bicycle traffic. Replace deteriorating culverts and upgrade existing beam guard to current standards.

- Mill and resurface the existing asphalt pavement. Replace deteriorating culverts and upgrade beam guard to current standard design.

- Reconstruct the highway by placing base course throughout the entire project limits and pave an asphalt overlay. Reconstruction of three intersections on WIS22: Fireside Road/ County I, Larson Lane, and Younger Road. Construct a roundabout for the Fireside Road/ County I intersection. Widen the existing three-foot paved shoulders to five feet to accommodate bicycle traffic. Replace deteriorating culverts and upgrade existing beam guard to current standards.

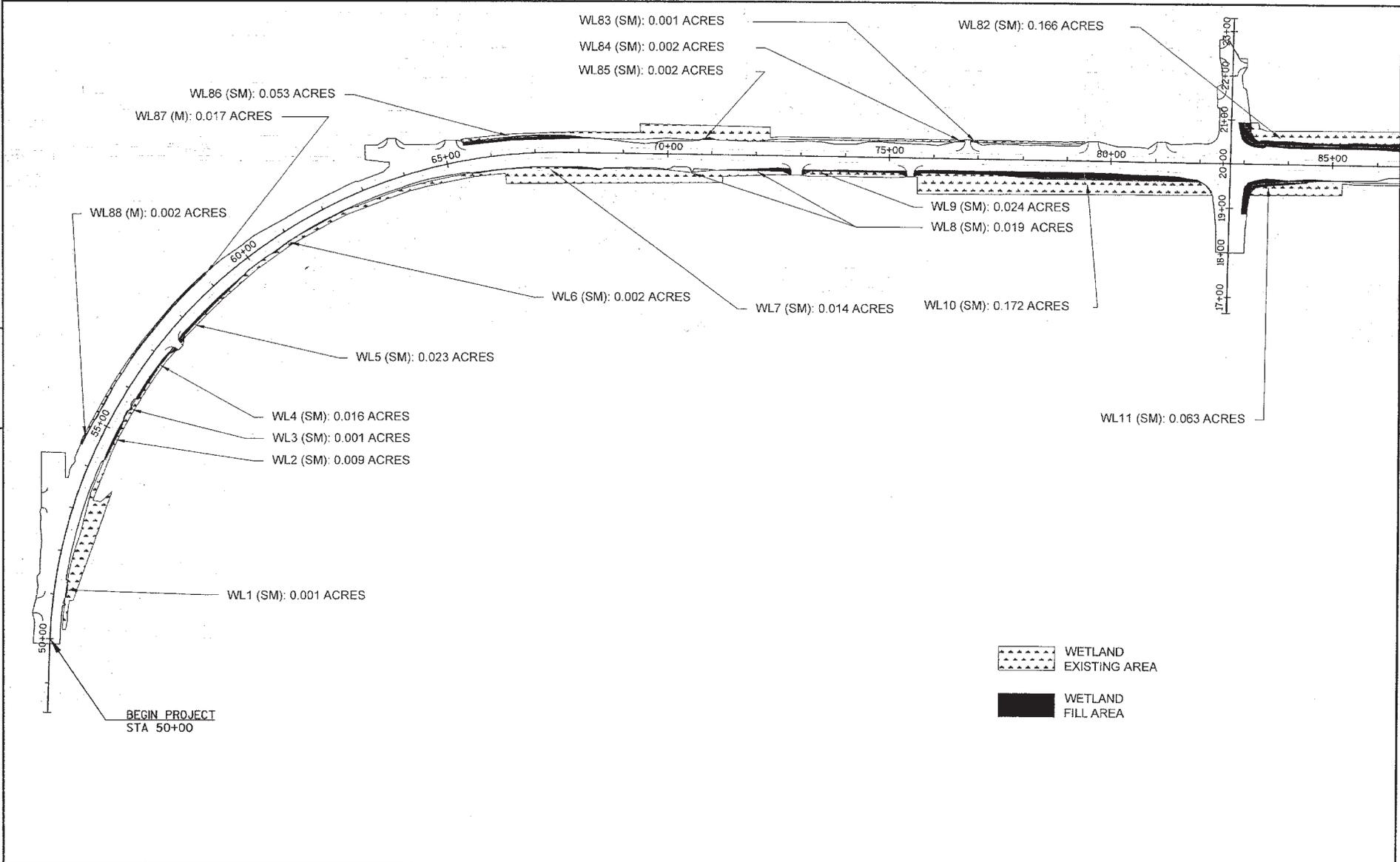
The reconstruction alternatives, stated above, were eliminated because these alternatives did not meet the stated purpose and need of the project and/or would significantly increase the cost of the project. The mill and resurface alternative was eliminated because it did not address the lack of base course beneath the existing the pavement. This alternative also did not improve the intersection deficiencies or improve bicycle accessibility.

The applicant's preferred alternative involves addressing sections of WIS22 that were reconstructed in 1994 with gravel lifts and asphalt by milling and resurfacing. Sections of WIS22 that were not previously reconstructed would receive gravel lifts and asphaltic overlay. This would restore integrity to the deficient portion of the WIS22 pavement structure and extend the life of the pavement. This alternative includes reconstructing three intersections on WIS22: Fireside Road/ County I, Larson Lane, and Younger Road. Widen the existing three-foot paved shoulders to five feet to accommodate bicycle traffic. Replace deteriorating culverts and upgrade existing beam guard to current standards.

AVOIDANCE AND MINIMIZATION: During the design process, WIS 22 was kept on the existing alignment and the width of the shoulder was reduced to 1 foot in an effort to minimize wetland impacts. The applicant also proposes to implement erosion control best management practices to minimize potential impacts to undisturbed wetlands.

COMPENSATORY MITIGATION: To compensate for unavoidable adverse impacts to wetlands, the Wisconsin Department of Transportation proposes to debit credits from an existing wetland mitigation bank. A minimum of 2.17 wet meadow credits will be debited from the Peshtigo Brook Phase 2 bank site in Oconto County, Wisconsin. The proposed replacement ratio for this project is 1:1 (1 acre created for every 1 acre of wetland impacted).

DRAWINGS: See attached.



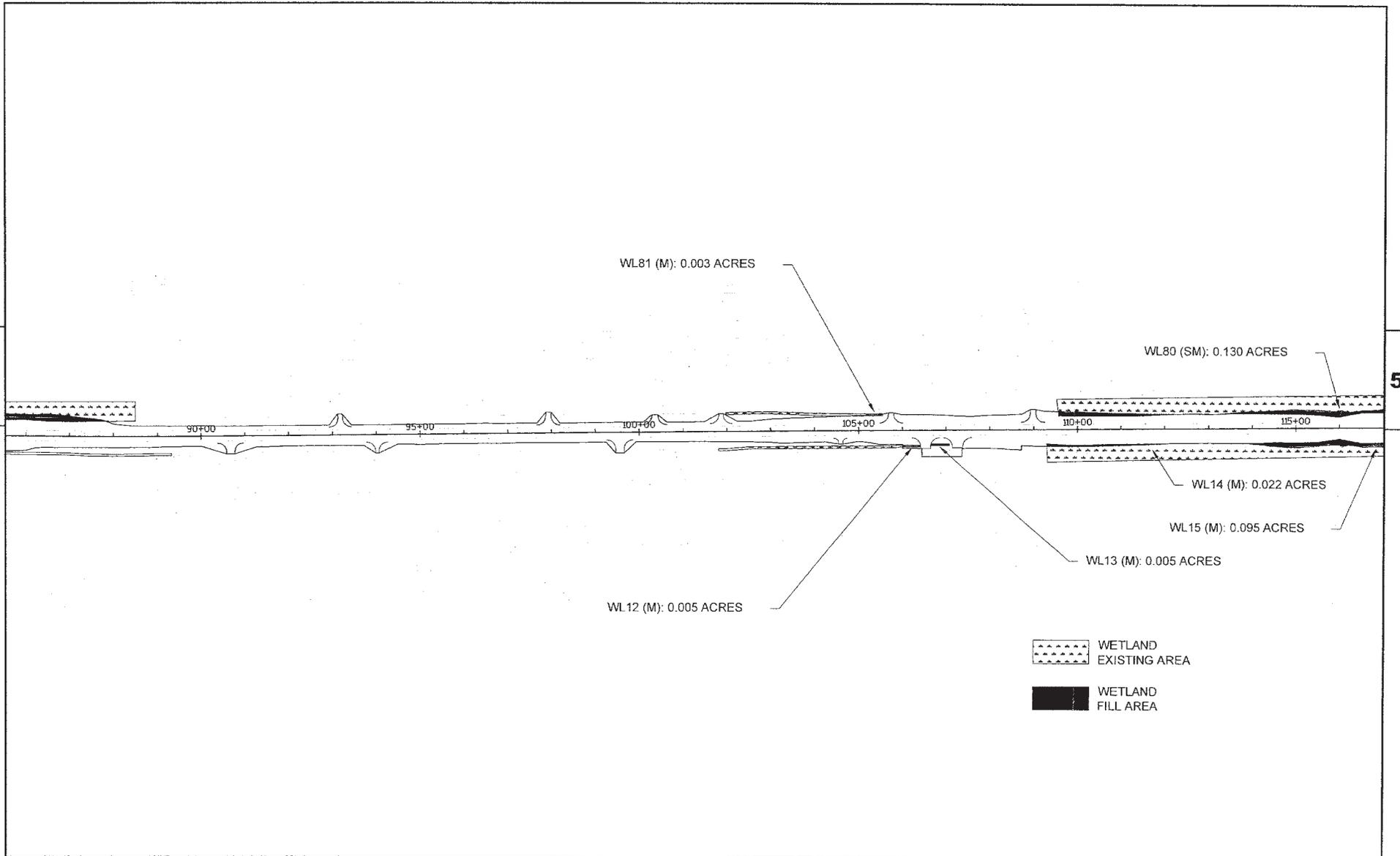
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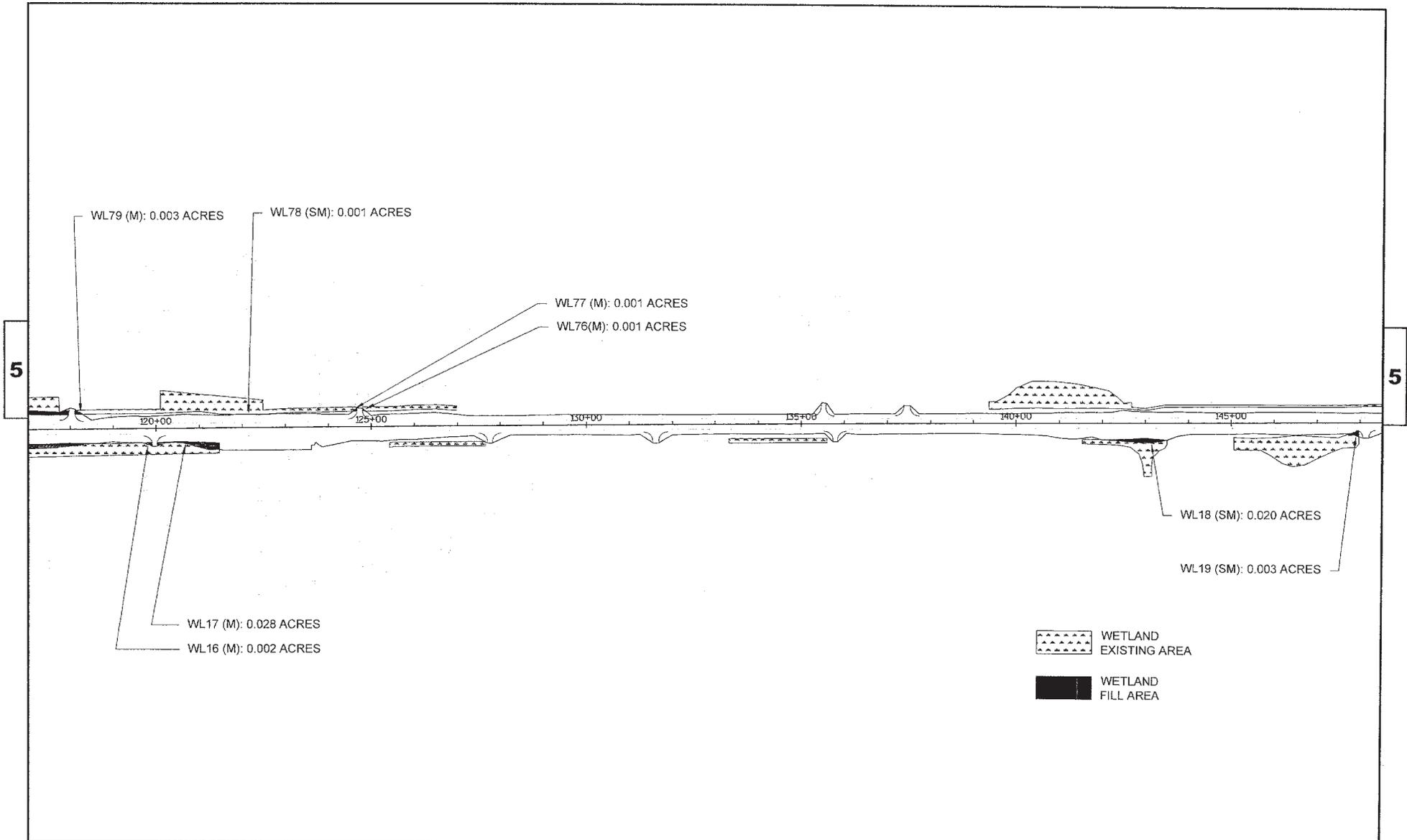
PROJECT NO: 9180-22-71	HWY: STH 22	COUNTY: OCONTO	WETLAND FILL AREAS	SHEET	E
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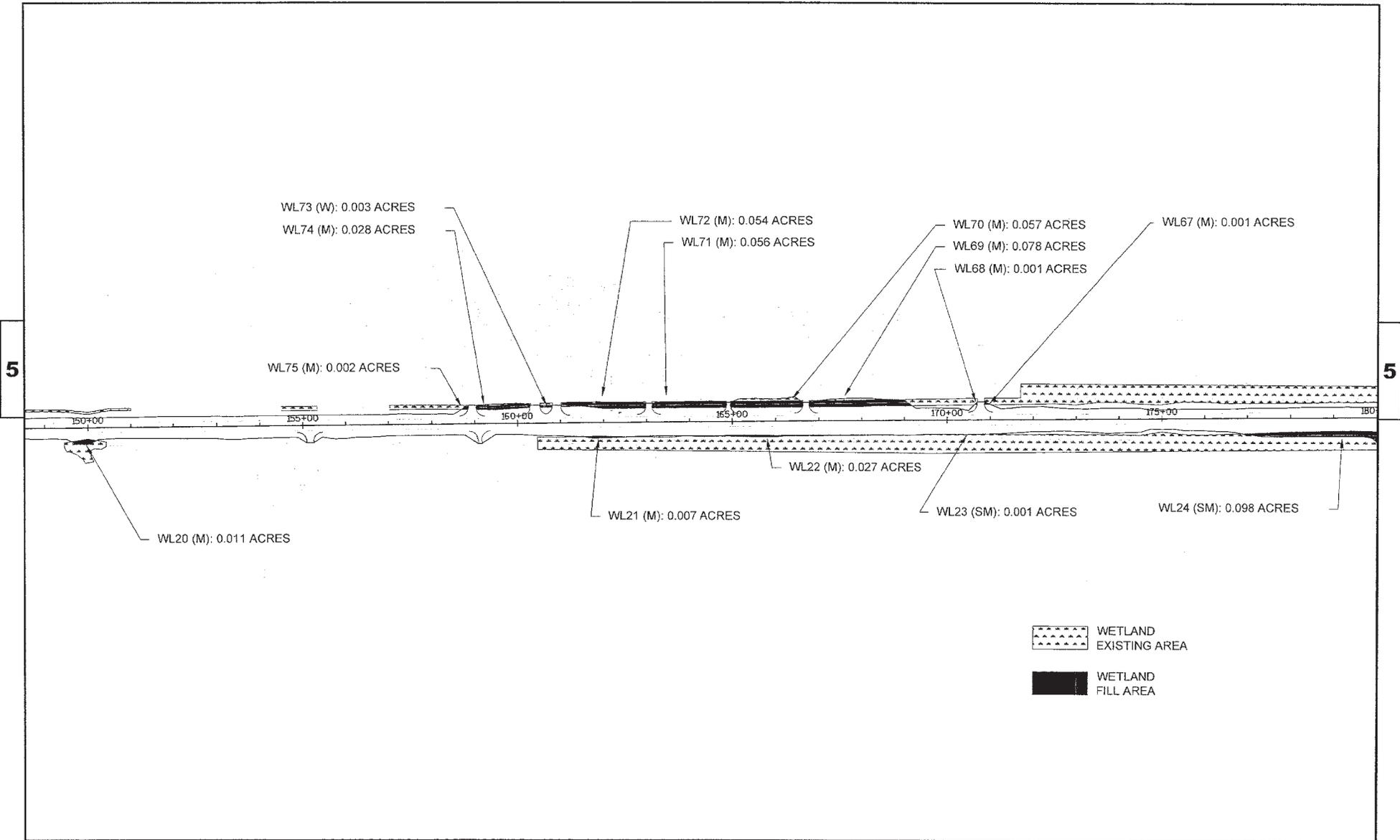
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LAYOUT NAME - SHEET - (32)

PLOT DATE : 4/23/2015 8:35 AM

PLOT BY : BERTUCCI, MATTHEW T PLOT NAME :

PLOT SCALE : 1 IN=200 FT

WISDOT/CADD SHEET 44



PROJECT NO: 9180-22-T1

HWY: STH 22

COUNTY: OCONTO

WETLAND FILL AREAS

SHEET

E

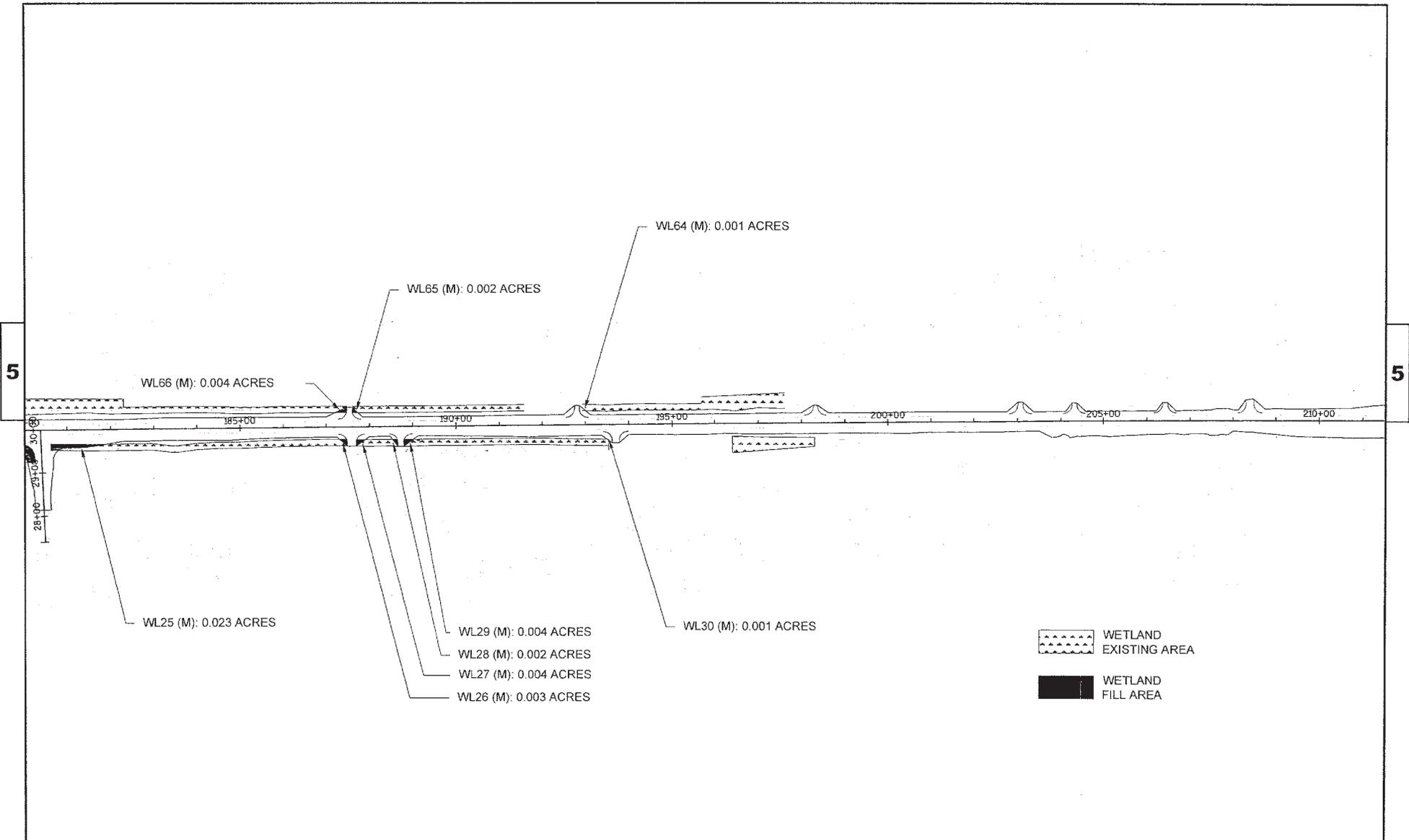
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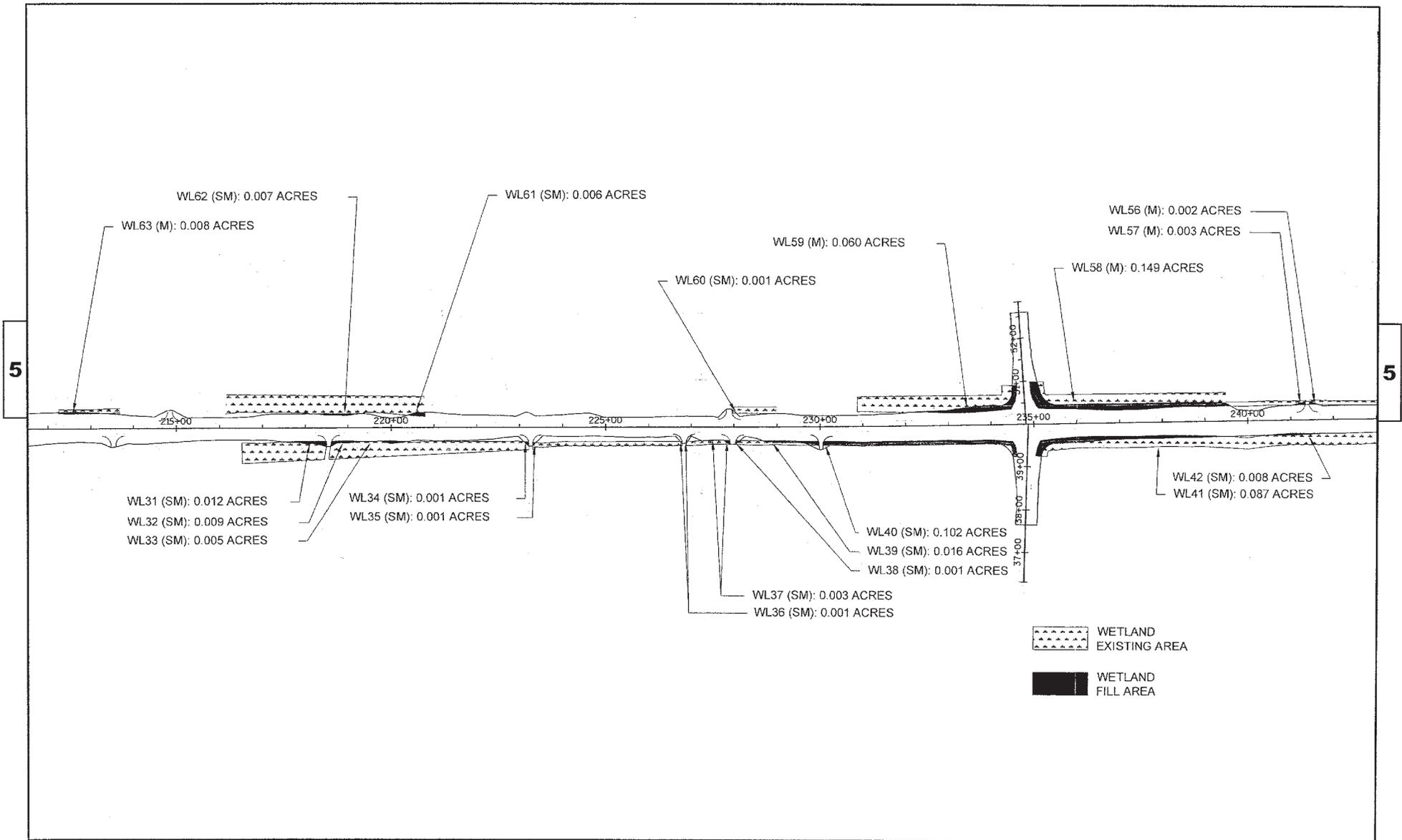
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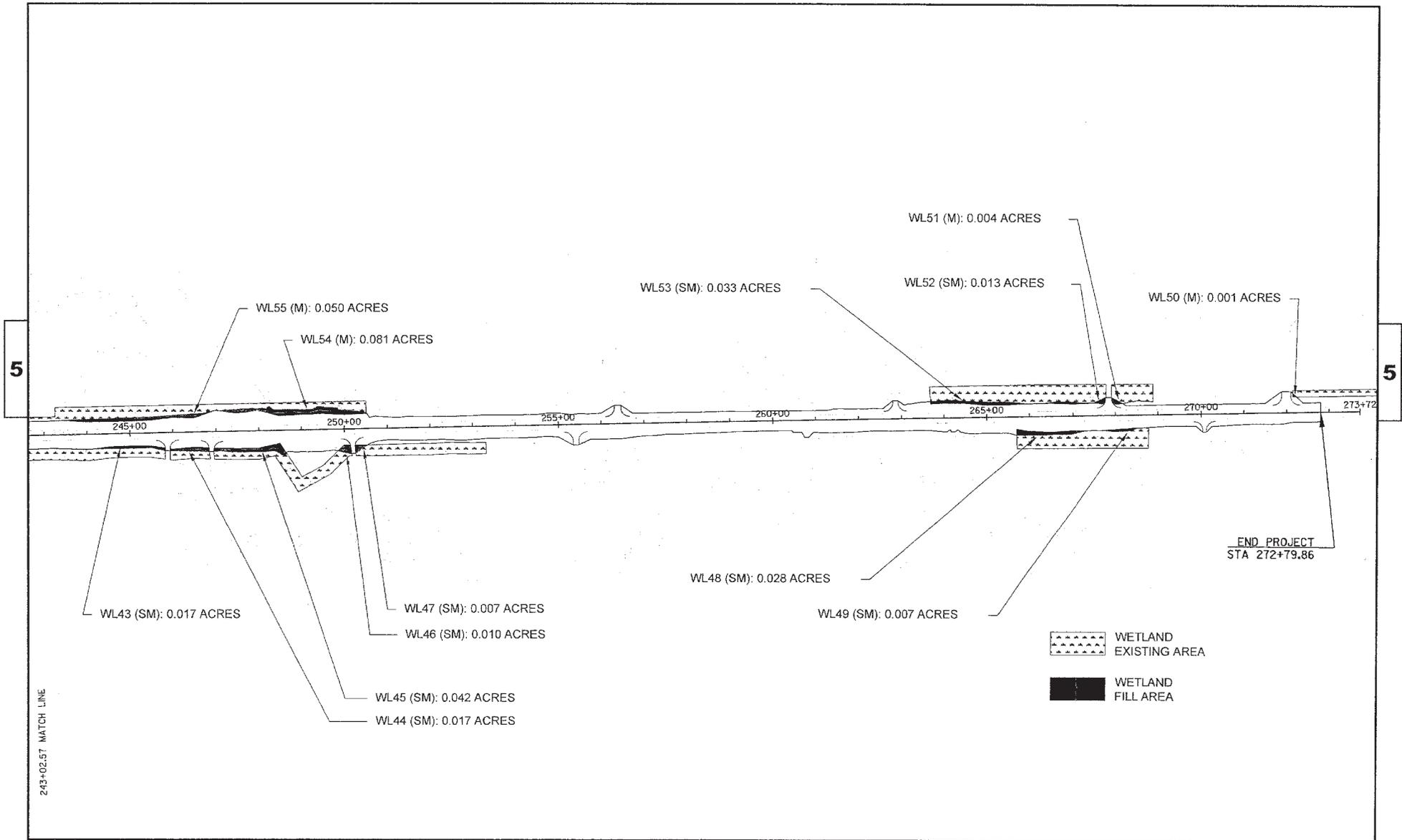
WISDOT/CADDIS SHEET 44



PROJECT NO: 9180-22-71	HWY: STH 22	COUNTY: OCONTO	WETLAND FILL AREAS	SHEET	E
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PROJECT NO: 9180-22-71	HWY: STH 22	COUNTY: OCONTO	WETLAND FILL AREAS	SHEET	E
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PLOT DATE : 4/23/2015 8:35 AM PLOT BY : BERTUCCI, MATTHEW T PLOT NAME :

PLOT SCALE : 1 IN:200 FT WISDOT/CADD SHEET 44