



US Army Corps
of Engineers
St Paul District

APPLICANT: Wisconsin Department
of Transportation

REFER TO: 2015-03114-WMS

Public Notice

ISSUED: April 7, 2016

EXPIRES: May 6, 2016

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge fill material on the bed of 7 unnamed tributaries and into 5.63 acres of wetlands for the rehabilitation of 17.71 miles of State Highway (STH) 13.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: 1701 North 4th Street
Superior, Wisconsin 54880

AGENT'S ADDRESS: Ayres Associates
3433 Oakwood Hills Parkway
Eau Claire, Wisconsin 54701

PROJECT LOCATION: The project site is located in Sections 6, 7, 8, 9, 10, 13, 14, and 24, T. 45N., R. 3W., Section 1, T. 45N., R. 4W., Sections 2, 3, 10, 11, 14, 15, 22, 23, 26, and 36, T. 46N., R. 4W., and Sections 22, 26, 27, and 35, T. 47N., R. 4W., Ashland County, Wisconsin. The latitude/longitude of the linear project begins at approximately 46.3614626, -90.67451653 and ends at 46.54303682, -90.85436853.

DESCRIPTION OF PROJECT: The project involves rehabilitating 17.71 miles of STH 13 by improving roadway side-slopes, replacing culverts, replacing one box culvert with a bridge structure, and milling the existing pavement and overlaying with hot mix asphalt (HMA) pavement. No changes to the horizontal alignment or the vertical profile is proposed. The purpose and need of the project is to correct existing geometric deficiencies to improve safety and visibility.

QUANTITY, TYPE, AND AREA OF FILL: The project would result in discharges of fill material into a total of 5.63 acres of wetlands throughout the length of the 17.71 mile-long road project. Permanent wetland loss by wetland type includes: 0.04-acre of aquatic bed, 0.07-acre of shallow marsh, 3.77 acres of wet meadow, 1.55 acres of shrub-carr, 0.20-acre of degraded wet meadow wetlands.

VEGETATION IN AFFECTED AREA: Dominant vegetation in the shallow marsh includes cattails, wool grass, and various species of sedge. Dominant vegetation species in the shrub-carr includes various species of willow, gray dogwood, speckled alder, Canada blue-joint, reed canary grass, wool grass and various species of sedge. Dominant vegetation in the wet meadow includes Canada blue-joint, wool grass, reedtop, and reed canary grass in the degraded wet meadow.

SOURCE OF FILL MATERIAL: Fill material would be obtained from a commercial source.

SURROUNDING LAND USE: The project area is rural and consists mostly of open space, including forest, grassland, wetlands and tributaries.

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DESCRIPTION OF STRUCTURE: The existing culvert that carries Silver Creek under STH 13 will be replaced with a new bridge structure.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: Fuel, hydraulic fluid, lubricants, coolant, and other fluids commonly used by construction equipment would be expected to be present for construction of the project.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Soil and sedimentation controls would be installed and maintained in accordance with the requirements of a Wisconsin Pollution Discharge Elimination System (WPDES) Construction Site Storm Water Permit.

MITIGATION: The applicant proposes to compensate for the loss of 5.63 acres of wetlands by debiting 5.63 in-kind wetland credits from the Wisconsin Department of Transportation's Beartrap Creek Wetland Mitigation Bank site located in Ashland County.

3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 15954 Rivers Edge Drive, Suite 240, Hayward, WI, 54843.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Bill Sande at the Hayward field office of the Corps, telephone number (651) 290 - 5882.

To receive Public Notices by e-mail, go to: http://mvp-extstp.mvp.usace.army.mil/list_server/ and add your information in the New Registration Box.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

None were identified by the applicant or are known to exist in the permit area. However, Ashland County is within the known or historic range of the following Federally-listed threatened (T) and endangered (E) species:

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<u>Species</u>	<u>Habitat</u>
Grey Wolf (E)	Northern forested areas.
Canada Lynx (T)	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
Piping Plover and its critical habitat (E)	Sandy beaches; bare alluvial and dredge spoil islands.
Northern long-eared bat (T)	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
Rufa red knot (T)	Coastal areas along Lake Superior

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

5. JURISDICTION.

This application is being reviewed in accordance with current practices for documenting Corps jurisdiction under Section(s) 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are subject to Corps of Engineers jurisdiction under Section(s) 9 & 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. If an approved jurisdictional determination is completed as part of the review process for this application, a copy will be posted on the St. Paul District web page at the following link:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>.

6. STATE SECTION 401 WATER QUALITY CERTIFICATION. WATER QUALITY CERTIFICATION.

This Public Notice has been sent to the Wisconsin Department of Natural Resources and is considered by the District Engineer to constitute valid notification to that agency for Section 401 water quality certification. A permit will not be granted until the Wisconsin Department of Natural Resources has issued or waived Section 401 certification.

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7. HISTORICAL/ARCHAEOLOGICAL.

This public notice is being sent to the National Park Service and the State Archaeologist for their comments. The Corps will review information on known cultural resources and/or historic properties within and adjacent to the project area. The Corps will also consider the potential effects of the project on any properties that have yet to be identified. The results of this review and the Corps' determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization, or approval, of the work in connection with this project.

8. PUBLIC HEARING REQUESTS.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

9. PUBLIC INTEREST REVIEW.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

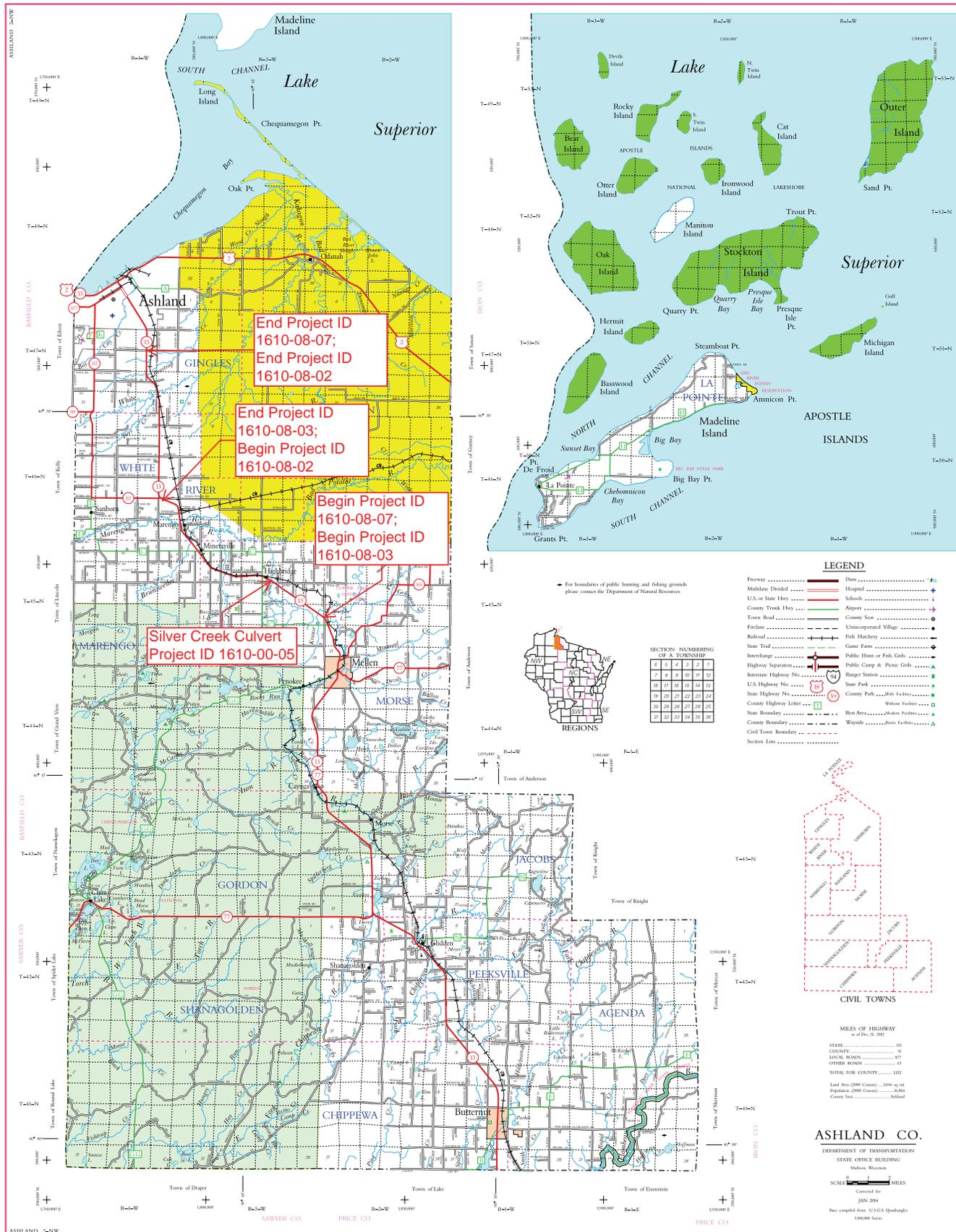
The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

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Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Marie H. Kopka
Acting Chief, Northeast Section

Enclosures



Project ID 1610-00-05
 Mellen - Ashland
 Silver Creek Culvert C-02-1458
 STH 13
 Ashland County

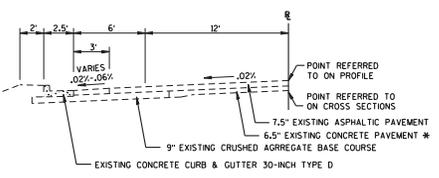
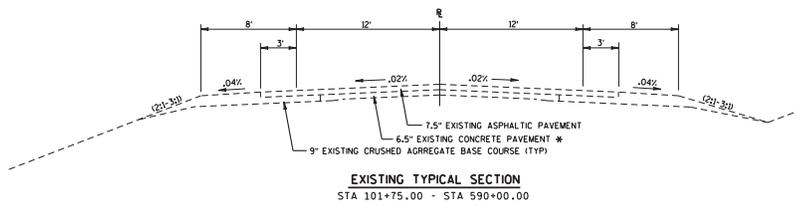
Project ID 1610-08-07
 Mellen - Ashland
 Golf Course Road to Buttersworth Road
 STH 13
 Ashland County

Project ID 1610-08-03
 Mellen - Ashland
 Golf Course Road to
 900' South of STH 112
 STH 13
 Ashland County

Project ID 1610-08-02
 Mellen - Ashland
 900' South of STH 112 to
 Buttersworth Road
 STH 13
 Ashland County

Impacted Wetlands
 Areas and Types

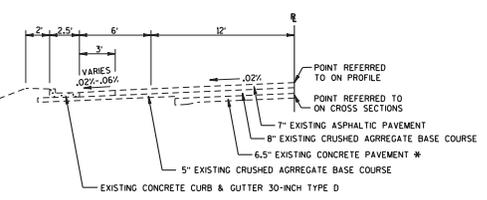
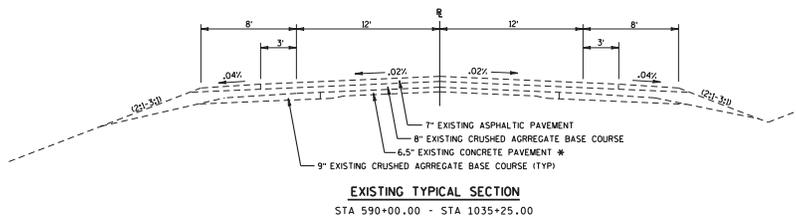
Wetland Number	Station Limits	Right/ Left	Wetland Area - Steepened Slopes	Wetland Type	WetDOT	Location			Isolated from surface H2O body	Not Contiguous w/ surface H2O body but w/in 5 yr flood plain	If adjacent or contiguous identify surface H2O or by S-T-R	Connecting H2O Body Size (Ac)	Name	Hydro Geodatabase ID
						Section	Town	Range						
W29	102+05 - 104+20	LT	0.060	M	24	45N	3W	Y	Not Contiguous w/ surface H2O	No		Upper Bad River	04010302035	
E32	103+00 - 104+10	RT	0.035	MD	24	45N	3W	Y	Not Contiguous w/ surface H2O	No		Upper Bad River	04010302035	
E31	141+00 - 142+00	RT	0.019	M	24	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302045	
E30	154+20 - 154+95	RT	0.041	SM	24	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302045	
W28	165+70 - 166+50	LT	0.008	SM	13	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302045	
E29	211+96 - 213+65	RT	0.030	MD	14	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302045	
E28	279+10 - 281+95	RT	0.033	MD	10	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302045	
W27	296+50 - 298+25	LT	0.035	MD	9	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302045	
E27	297+30 - 298+75	RT	0.017	MD	9	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302045	
E26	308+00 - 308+20	RT	0.001	MD	9	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302045	
E25	321+00 - 321+80	RT	0.014	MD	9	45N	3W	Y	Not Contiguous w/ surface H2O	No		Unnamed intermittent stream	04010302045	
W26	333+15 - 333+40	LT	0.003	MD	9	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302045	
E24	333+20 - 334+20	RT	0.048	M	9	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302045	
W25	360+30 - 361+66	LT	0.064	M	8	45N	3W	N	Not Contiguous w/ surface H2O	No		Unnamed intermittent tributary to Billy Creek	04010302045	
E23	361+10 - 362+00	RT	0.014	MD	8	45N	3W	N	Not Contiguous w/ surface H2O	No		Unnamed intermittent tributary to Billy Creek	04010302045	
E22	423+80 - 426+20	RT	0.047	M	7	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302043	
W24	461+20 - 461+55	LT	0.009	AB	6	45N	3W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302043	
W23	472+60 - 473+66	LT	0.022	SS	1	45N	4W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302043	
W22	543+55 - 543+99	LT	0.021	AB	36	46N	4W	N	Not Contiguous w/ surface H2O	No		Unnamed intermittent tributary to Marengo River	04010302044	
E21	544+00 - 544+22	RT	0.007	AB	36	46N	4W	N	Not Contiguous w/ surface H2O	No		Unnamed intermittent tributary to Marengo River	04010302044	
E20	580+20 - 587+70	RT	0.153	SM	26	46N	4W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302044	
W21	583+30 - 587+80	LT	0.071	SS	26	46N	4W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302044	
W21	588+18 - 590+45	LT	0.050	SS	26	46N	4W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302044	
E19	588+75 - 589+50	RT	0.009	SS	26	46N	4W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302044	
W20	598+00 - 599+65	LT	0.017	SS	26	46N	4W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302044	
E18	620+45 - 631+05	RT	0.437	SS	26	46N	4W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302044	
W19	637+50 - 640+55	LT	0.056	M	26	46N	4W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302044	
W19	647+30 - 650+60	LT	0.084	M	26	46N	4W	Y	Not Contiguous w/ surface H2O	No		Marengo River	04010302044	
W18	671+50 - 680+30	LT	0.097	M	22	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020610	
E17	678+50 - 681+00	RT	0.045	M	23	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020610	
W17	685+00 - 687+20	LT	0.076	M.SS	22	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020610	
W17	688+45 - 691+20	LT	0.109	M.SS	22	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020610	
W17	693+15 - 700+00	LT	0.312	M.SS	22	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020610	
W17	700+10 - 706+50	LT	0.254	M.SS	22	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020610	
E16	696+10 - 701+80	RT	0.145	M	23	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020610	
W16	733+95 - 742+75	LT	0.342	SS	15	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020610	
W15	754+50 - 756+03	LT	0.043	M	15	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
E15	755+00 - 758+10	RT	0.081	M	14	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W14	797+85 - 800+85	LT	0.091	M	10	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
E14	799+28 - 800+20	RT	0.024	M	11	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W13	810+95 - 811+80	LT	0.013	SS	3	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W12	819+00 - 821+20	LT	0.037	M	3	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W12	821+36 - 824+95	LT	0.056	M	3	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
E12	823+25 - 827+55	RT	0.053	M	2	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W11	843+35 - 846+12	LT	0.060	M	3	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W11	846+50 - 855+85	LT	0.225	M	3	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W11	854+40 - 857+66	LT	0.029	M	3	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
E11	852+70 - 861+30	RT	0.141	M	2	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W10	861+70 - 868+02	LT	0.152	M	3	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
E10	864+45 - 869+50	RT	0.115	M	2	46N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W9	877+13 - 878+60	LT	0.014	M	35	47N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
E9	886+60 - 891+00	RT	0.122	M	35	47N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W8	886+80 - 889+80	LT	0.067	M	35	47N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
E8	944+32 - 950+05	RT	0.159	M	27	47N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
E7	951+50 - 952+90	RT	0.016	M	27	47N	4W	Y	Not Contiguous w/ surface H2O	No		White River	040103020611	
W7	952+35 - 956+00	LT	0.060	M	27	47N	4W	Y	Not Contiguous w/ surface H2O	No		Lower Bad River	040103011101	
W6	960+55 - 971+60	LT	0.368	M	27	47N	4W	Y	Not Contiguous w/ surface H2O	No		Lower Bad River	040103011101	
E6	960+60 - 971+35	RT	0.249	M	27	47N	4W	Y	Not Contiguous w/ surface H2O	No		Lower Bad River	040103011101	
W5	979+50 - 980+40	LT	0.032	SS	27	47N	4W	N	Not Contiguous w/ surface H2O	Just offsite from Beartrap Creek		Lower Bad River	040103011101	
E5	990+80 - 995+60	RT	0.097	M	22	47N	4W	Y	Not Contiguous w/ surface H2O	No		Lower Bad River	040103011101	
W4	993+75 - 994+50	LT	0.024	M	22	47N	4W	Y	Not Contiguous w/ surface H2O	No		Lower Bad River	040103011101	
W3	999+80 - 1003+45	LT	0.081	M	22	47N	4W	Y	Not Contiguous w/ surface H2O	No		Lower Bad River	040103011101	
E4	1000+00 - 1002+35	RT	0.047	M	22	47N	4W	Y	Not Contiguous w/ surface H2O	No		Lower Bad River	040103011101	
E3	1010+80 - 1011+95	RT	0.029	M	22	47N	4W	Y	Not Contiguous w/ surface H2O	No		Lower Bad River	040103011101	
W2	1013+35 - 1021+90	LT	0.203	M	22	47N	4W	Y	Not Contiguous w/ surface H2O	No		Lower Bad River	040103011101	
E2	1016+60 - 1021+05	RT	0.089	M	22	47N	4W	Y	Not Contiguous w/ surface H2O	No		Lower Bad River	040103011101	
W1	1022+45 - 1029+60	LT	0.082	M	22	47N	4W	N	Not Contiguous w/ surface H2O	Unnamed intermittent tributary to Little Beartrap Creek		Lower Bad River	040103011101	
E1	1025+60 - 1028+05	RT	0.075	M	22	47N	4W	N	Not Contiguous w/ surface H2O	Unnamed intermittent tributary to Little Beartrap Creek		Lower Bad River	040103011101	



EXISTING TYPICAL SECTION W/CONCRETE CURB & GUTTER

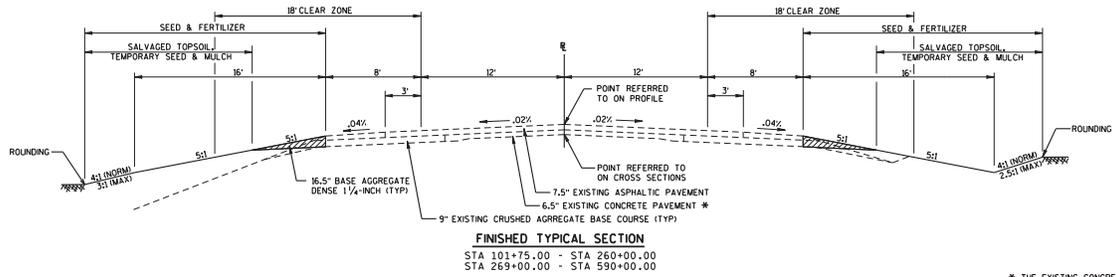
- STA 156+04.00 - STA 159+89.00, LT
- STA 263+18.00 - STA 266+34.00, LT/RT
- STA 279+03.00 - STA 280+62.00, LT
- STA 386+60.00 - STA 388+60.00, LT/RT
- STA 544+61.00 - STA 552+68.00, LT
- STA 550+16.00 - STA 553+89.00, RT

* THE EXISTING CONCRETE PAVEMENT IS 20' WIDE AND 6.5" THICK WITH A THICKENED EDGE (ASSUMED 9').

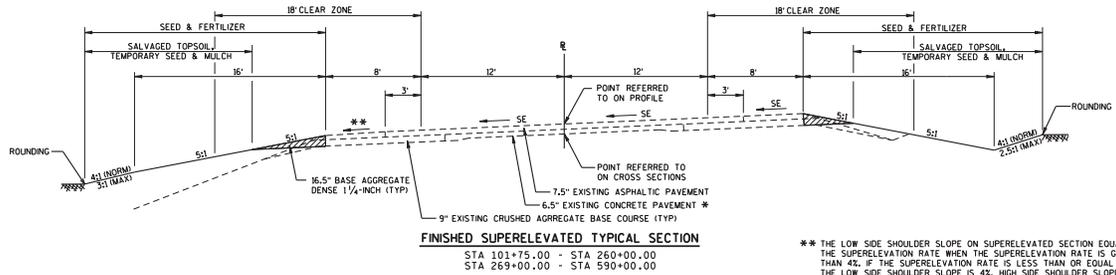
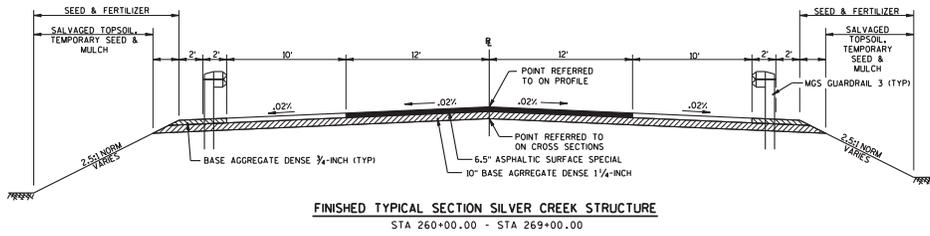


EXISTING TYPICAL SECTION W/CONCRETE CURB & GUTTER

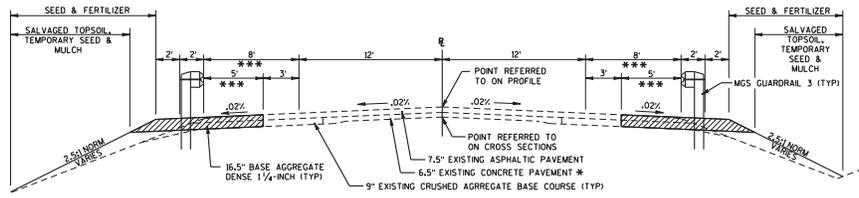
- STA 918+59.00 - STA 922+55.00, LT
- STA 924+16.00 - STA 925+02.00, RT
- STA 924+16.00 - STA 933+70.00, LT
- STA 942+87.00 - STA 944+53.00, RT



* THE EXISTING CONCRETE PAVEMENT IS 20' WIDE AND 6.5" THICK WITH A THICKENED EDGE (ASSUMED 9').



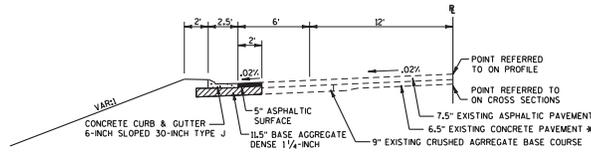
** THE LOW SIDE SHOULDER SLOPE ON SUPERELEVATED SECTION EQUALS THE SUPERELEVATION RATE WHEN THE SUPERELEVATION RATE IS GREATER THAN 4%. IF THE SUPERELEVATION RATE IS LESS THAN OR EQUAL TO 4%, THE LOW SIDE SHOULDER SLOPE IS 4%. HIGH SIDE SHOULDER SLOPE ON SUPERELEVATED SECTIONS EQUALS THE SUPERELEVATION RATE.



FINISHED TYPICAL SECTION W/GUARDRAIL

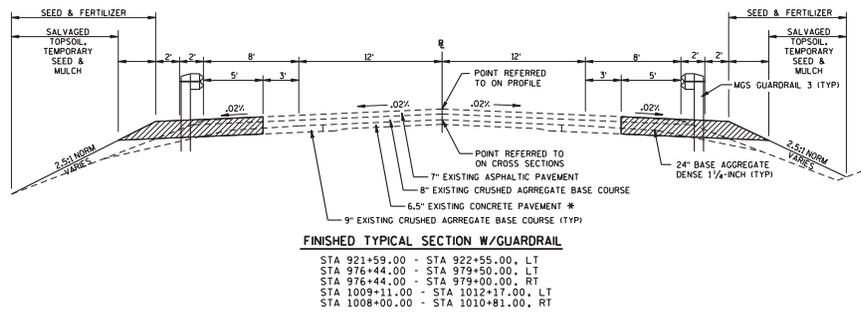
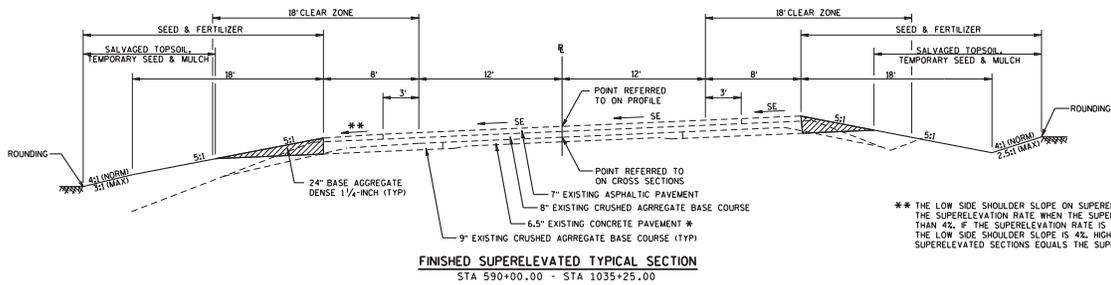
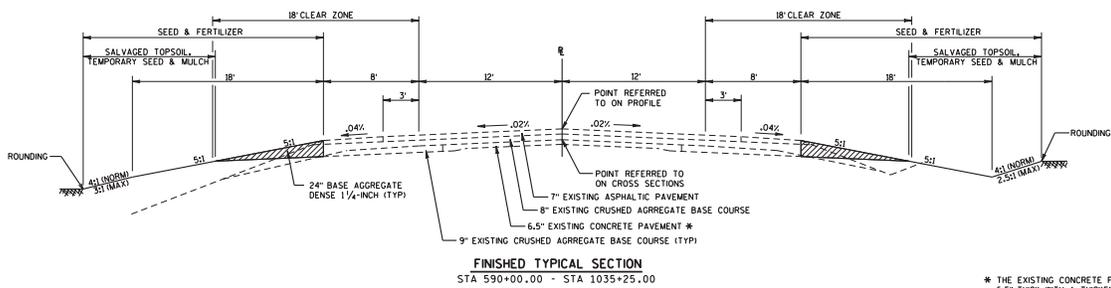
- STA 121+09.00 - STA 123+66.00, LT/RT
- STA 350+09.00 - STA 352+91.00, LT/RT
- STA 383+13.00 - STA 390+69.00, LT/RT
- STA 413+11.00 - STA 417+92.00, LT
- STA 413+00.00 - STA 418+17.00, RT
- STA 443+75.00 - STA 446+44.00, LT
- STA 445+00.00 - STA 449+56.00, RT
- STA 458+22.00 - STA 463+78.00, LT
- STA 459+97.00 - STA 463+78.00, RT
- *** STA 559+89.00 - STA 561+69.00, LT (STEEL PLATE BEAM GUARD CLASS A)
- *** STA 557+78.00 - STA 561+58.00, RT (STEEL PLATE BEAM GUARD CLASS A)

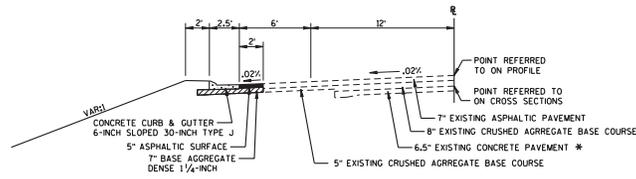
*** 8' SHLDS EXCEPT LOCATIONS WHERE EXISTING SHLDS AND GUARDRAIL ARE ALREADY CONSTRUCTED TO 10'



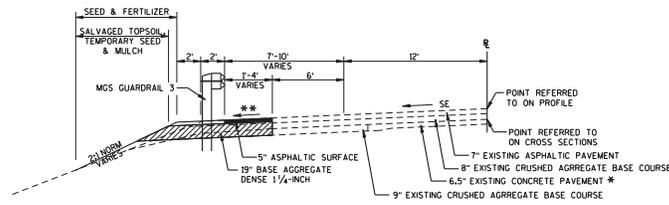
FINISHED TYPICAL SECTION W/CONCRETE CURB & GUTTER

- STA 156+00.00 - STA 160+00.00, LT
- STA 278+00.00 - STA 288+50.00, LT
- STA 550+00.00 - STA 552+75.00, LT
- STA 550+00.00 - STA 553+90.00, RT





FINISHED TYPICAL SECTION W/CONCRETE CURB & GUTTER
 STA 919+60.00 - STA 922+40.00, LT



FINISHED SUPERELEVATED TYPICAL SECTION W/GUARDRAIL
 STA 924+16.00 - STA 933+00.00, LT

* THE EXISTING CONCRETE PAVEMENT IS 20' WIDE AND 6.5" THICK WITH A THICKENED EDGE (ASSUMED 9").

** THE LOW SIDE SHOULDER SLOPE ON SUPERELEVATED SECTION EQUALS THE SUPERELEVATION RATE WHEN THE SUPERELEVATION RATE IS GREATER THAN 4%. IF THE SUPERELEVATION RATE IS LESS THAN OR EQUAL TO 4%, THE LOW SIDE SHOULDER SLOPE IS 4%. HIGH SIDE SHOULDER SLOPE ON SUPERELEVATED SECTIONS EQUALS THE SUPERELEVATION RATE.