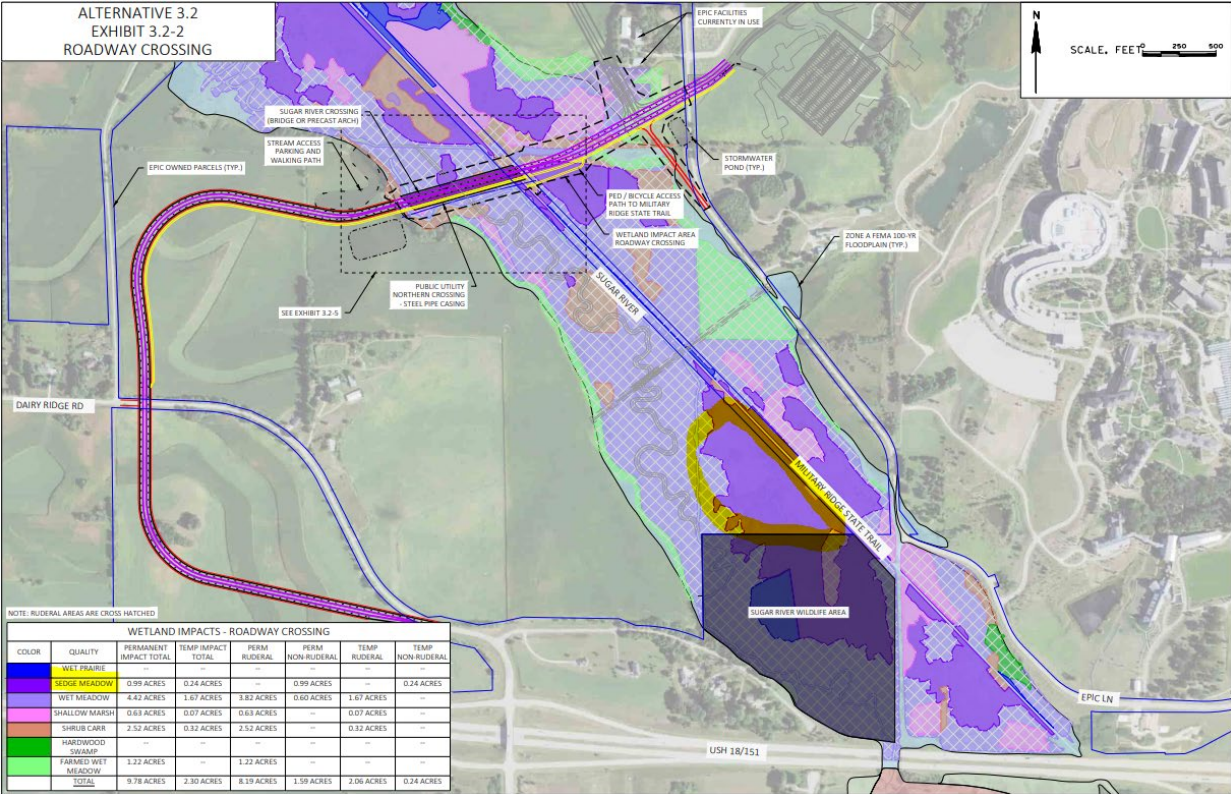


From: Von Holdt, Crystal L - DNR
To: Isaac Schrock
Cc: Larson, Zachary; Tyler Tkachuk (Tyler.Tkachuk@aecom.com); Kyle Neeve@aecom.com; Cunningham, Brian J - DNR; Allness, Michele M - DNR (Shelly); Kovacevich, Carlee C CIV USARMY CEMVP (USA); Jim Schumacher; Derek Schnabel
Subject: RE: Request for revisions/considerations for final design (Epic wetland/waterway permit application)
Date: Tuesday, June 4, 2024 12:02:00 PM
Attachments: image001.png
image002.png
image009.png

Good morning Isaac and team,
Thanks for the response with your questions/clarification! I've added responses to each item you listed for questions in the order they were presented:

For #1.a., yes – no shallower than 2:1 since that would be a larger footprint on the ground surface. Good catch! The shallow slopes of 3:1 or flatter have a much larger footprint on the wetland ground surface so will need to be reduced where practicable. Typically this type of slope is part of a safety-related conversation and our Department often references the 2:1 slope as a documented safe slope used in other public roadway projects. To deviate to a flatter slope with a larger footprint in the wetlands, the PAA will need to provide basis for the larger wetland impact (due to a flatter slope). The added explanation from your email response is on track for the type of information needed....please keep in mind that there is a delicate balance to designing a project that has wetland impacts “now” for future need. There may be a combination of strategies to use, such as bringing some areas of side-slope in to a 2:1 but other areas are at a 3:1 based on needs and the unique design elements along the road profile as the road crosses the river valley.

For #3, controlling for woody vegetation would include a level of monitoring and physical maintenance (removal of) woody species trying to establish. The woody vegetation within the higher quality sedge meadow community would, over time, change the nature of the plant community. It might be as simple as an annual review of this specific plant community to identify/flag woody vegetation and then removal of those individuals to maintain the sedge meadow community type. I checked the wetland plant community mapping (from the alternatives analysis maps) and believe the specific sedge wet meadow being referenced is what I have highlighted in the image below:



For #4, you can simply do this via an email to me indicating your agreement (if you do agree) for our review to exceed the statutory 30-day timeframe in order to adequately allow both of us (applicant and Department staff) the time needed to revise/update the plan details and finalize permit documents.

I hope that clarifies! Please let me know if you have any other follow-up questions. Thank you!

We are committed to service excellence.

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

Crystal vonHoldt
[Pronouns: she/her]
Phone: (920) 410-3181
Crystal.vonHoldt@wisconsin.gov

From: Isaac Schrock <ischrock@epic.com>
Sent: Tuesday, May 28, 2024 10:59 AM

To: Von Holdt, Crystal L - DNR <Crystal.VonHoldt@wisconsin.gov>

Cc: Larson, Zachary <zachary.larson@aecom.com>; Tyler Tkachuk (Tyler.Tkachuk@aecom.com) <Tyler.Tkachuk@aecom.com>; Kyle.Neeve@aecom.com; Cunningham, Brian J - DNR <brian.cunningham@wisconsin.gov>; Allness, Michele M - DNR (Shelly) <Michele.Allness@wisconsin.gov>; Kovacevich, Caree C CIV USARMY CEMVP (USA) <Caree.C.Kovacevich@usace.army.mil>; Jim Schumacher <jschumac@epic.com>; Derek Schnabel <dschnabe@epic.com>

Subject: RE: Request for revisions/considerations for final design (Epic wetland/waterway permit application)

CAUTION: This email originated from outside the organization.

Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Crystal,

I wanted to ask a clarifying question about your original email.

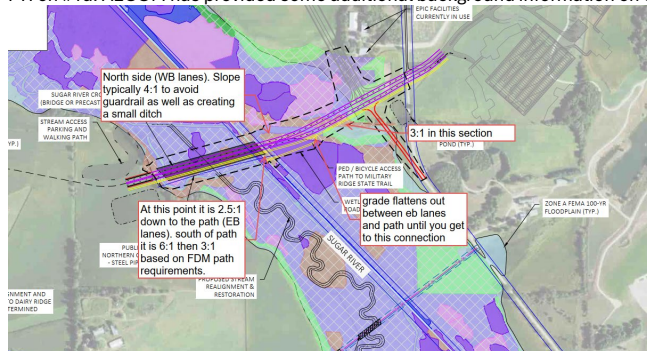
On item 1a. Did you mean the “side slopes of fill proposed within wetlands is no **steeper** than 2:1” or did you mean “**shallower** than 2:1”? Current side slopes shown in the PAA are 3:1/4:1. Increasing steepness of the slope to 2:1 from current side slopes will require more substantial change to PAA.

On item 3. Could you provide Epic/AECOM with additional details about what a “plan for woody vegetation control” might include? Is this an on-going maintenance commitment? 1-time ask? Could you highlight the area in question with a screenshot?

On item 4. Does the letter need to be notarized? Or just signed?

Epic and AECOM are working through items included in #1 and #2 and will get back to you on #3 and #4 after we hear back.

FYI on #1a. AECOM has provided some additional background information on the slopes:



We are following WisDOT FDM standards to avoid guardrail. However, if DNR wants us to further minimize and use 2:1 slopes in both directions that would further reduce wetland impacts, however, this would include the addition of guardrail. In addition, our story of very little impacts to add in the path would change resulting in more wetland impacts for putting in the path. Path may require a retaining wall to help further minimize to help that story. Our strategy was to use FDM slopes in the hope to further reduce impacts as we get further into design. This provides more flexibility if something comes up and doesn't require us to increase wetland impacts.

Isaac Schrock

Epic | Facilities Engineering

From: Von Holdt, Crystal L - DNR <Crystal.VonHoldt@wisconsin.gov>

Sent: Friday, May 24, 2024 10:48 AM

To: Jim Schumacher <jschumac@epic.com>; Larson, Zachary <zachary.larson@aecom.com>; Tkachuk, Tyler <Tyler.Tkachuk@aecom.com>

Cc: Cunningham, Brian J - DNR <brian.cunningham@wisconsin.gov>; Allness, Michele M - DNR (Shelly) <Michele.Allness@wisconsin.gov>; Neeve, Kyle <Kyle.Neeve@aecom.com>; Kovacevich, Caree C CIV USARMY CEMVP (USA) <Caree.C.Kovacevich@usace.army.mil>

Subject: Request for revisions/considerations for final design (Epic wetland/waterway permit application)

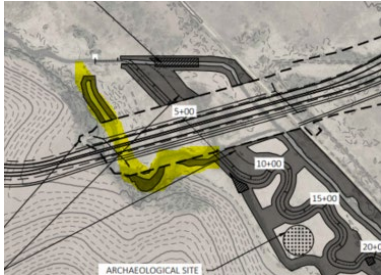
External Mail. Careful of links / attachments. Submit Helpdesk if unsure.

Good morning Jim, Tyler, Zach, and team,

Thanks so much for the time we spent earlier this week checking in on the public comments and following up with the proposed plans as we are now in the last stretch of the permit review process! I really appreciate that many of us stayed on much longer than planned so we can get through the topics and themes brought up from the comment period. I'll provide an outline below of the various themes and concerns discussed and include a “next steps” so it's clear what details/revisions are needed to be provided to move forward with the process.

We discussed the concerns that the community raised that fell outside of state authority for wetland and waterway jurisdictions. In good faith, my response to public comments indicated I would make sure all of the concerns would at least be brought to your attention even those concerns/comments not within this permit process authority. Thank you for the time to discuss those topics and the assurances you provided that Epic is actively involved with the City regarding mass transit improvements and expenses.

Below is an outline of the specific topics under the state's authority and the relevant "next steps" requests for final designs and revisions:

1. Additional Wetland Impact Minimization – the proposed plans in the application were designed as a maximum extent for identified wetland impacts. Now that we are further along in the process with some more detail refinement, the application will need to include an updated plan and identify where there are others of further wetland impact minimization.
 - a. Please make sure all side slopes of fill proposed within wetlands is no steeper than 2:1. This is a very standard and successful minimization practice and still provides a stable safe slope.
 - i. **Next steps:** If there are slopes that are adjusted to meet the 2:1 slope requirement, please provide updated plans and point out which slopes are adjusted and the new reduced overall wetland impact total.
 - b. Please update the PAA narrative to provide further explanation and revision where practicable regarding the 4-legged intersection east of the bridge crossing. If there are rationales for public and traffic safety why the intersection is designed and located as proposed, please provide that background information. It will be helpful to also identify which roads are going to become public roads and which roads are going to remain private under Epic's ownership. While capturing current plans that are in development for expansion is absolutely reasonable, speculating too far out in the future for roadway needs is not likely to meet the requirements of state wetland permitting. Please make sure wetland impacts proposed and currently under review of this permit process are able to be based on a current need and purpose.
 - i. **Next steps:** Please provide updated plans with adjusted PAA document and point out the revisions that identify a new reduced overall wetland impact total.
 - c. Please provide clarification in the PAA regarding the need for a boulevard and shoulder widths for the section of road crossing on the bridge structure. If there are safety justifications regarding traffic and pedestrian uses, please provide that information.
 - i. **Next steps:** Please provide updated plans with adjusted PAA document and point out the revisions that identify a new reduced overall wetland impact total.
 - d. Please provide the impact (sq-ft) of each piling for the bridge footing design. If the proposed 25ft width of riprap buffer around each piling can be reduced to further minimize wetland impacts, an updated plan drawing and details are needed.
 - i. It would be helpful to compare the wetland impact from the pilings to a crossing on complete solid fill (like a causeway crossing) to help demonstrate minimization.
 - ii. **Next steps:** Please provide updated plans with adjusted PAA document and point out the revisions that identify a new reduced overall wetland impact total.
2. Revision request for stream restoration design
 - a. There was information brought to our attention about existing springs located on the west side of the river valley at the approach for the bridge. This section (highlighted in yellow in the image below) was not included in the stream restoration but there is concern that existing active springs would be significantly impacted by the construction of a bridge and abutment.
 - i. **Next steps:** Please provide a map identifying the springs and a revised restoration (realignment) design to include the active springs and the flow to be incorporated into the restoration. If the springs are located completely south of the proposed abutment, then identifying the springs is needed on an updated plan map showing a flow path to ensure the flow from the springs will reach the new realigned stream channel. If the springs are located north of the proposed abutment, then the stream restoration will need to accommodate and incorporate the springs and flow (which likely requires bridge design adjustments) to ensure the springs remain open and are part of the river system.
 - b. The Department is requesting that the LUNKERs design is replaced with root wads and/or brush and bank shaping practices as a means to provide improved aquatic habitat with less concern and challenge for construction and installation.
 - i. **Next steps:** Please provide an updated plan set and details with root wads instead of LUNKERs.
3. Additional Idea: Is Epic willing to consider including a plan for woody vegetation control specifically at the sedge meadow wetland remnant (located immediately southwest of the MRST)? This specific intact higher quality wetland community would benefit from removal of undesirable trees and shrubs as well as considering the use of recurring prescribed fire burns to maintain and encourage the success of this wetland remnant.
 - a. It's also common to ask that construction plans include the installation of a visible barrier (such as orange construction fencing) around areas that are to remain intact and undisturbed as a visual and physical means to remind all contractors where equipment cannot be located. If that can be added and called out in the plans, the added measure to protect this high quality remnant wetland will go a long ways.
 - i. **Next steps:** Please provide an updated plan set and details for any additions to the plans regarding the remnant sedge meadow wetland.
4. **Extension for Review Timeline:** As a last but also important item, I would like to ask for your written agreement that we can extend the state

permit review timeline. The statute denotes a permit decision is to be provided within 30 days after the public comment period ends. The comment period ended on May 19th so the state's permit decision is due by June 20th (not counting holidays). Between now and then, we have some work and updates needed that might need a little more time to adequately work on some revisions. Would you be agreeable to extending the permit review process an additional 30 days for a new deadline of July 20? Or feel free to propose a deadline if a 30-day extension may not be enough time.

The team effort is greatly appreciated as we all strive for a project design that meets the needs and purpose for the business expansion while being mindful and protective of the natural resources in the area. Thank you!

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

Crystal vonHoldt

[Pronouns: she/her]

Waterways Program Policy Coordinator

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