



Environmental Updates for the 2024 Construction Season

Jeremy Ashauer, P.E.
Erosion and Sediment Control Engineer

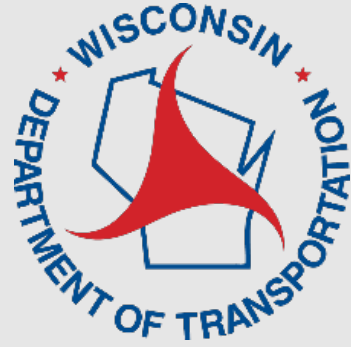
WTBA/WisDOT Contractor-Engineer Conference
Wisconsin Dells, WI

January 19, 2024

Discussion Topics

- Endangered Species 🦇 Updates
- Erosion Control & Stormwater Program Updates
 - Trans 401
 - ECIP Form
 - TCGP Implementation
- Hazardous Materials Program Updates
- DNR Cooperative Agreement & Partnership





Endangered Species Updates



Endangered Species in Construction

- Pay attention to special provisions.
- Working to improve consistency and clarity of environmental special provisions.
- Common examples:
 - Migratory birds
 - In-stream work restrictions
 - Seasonal timing restrictions



Bat Updates 🦇

Northern Long-Eared Bat (NLEB)

- Reclassified as *endangered* in January 2023.
- Notable requirement: winter tree clearing (November 1 to March 31)
 - Completed ahead of construction by county forces or ID/IQ
 - Included in construction contract
 - Challenges and lessons learned



USFWS

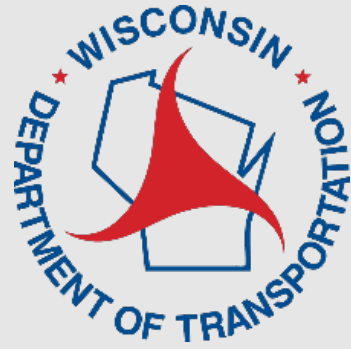
Bat Updates

Tricolored Bat (TCB)

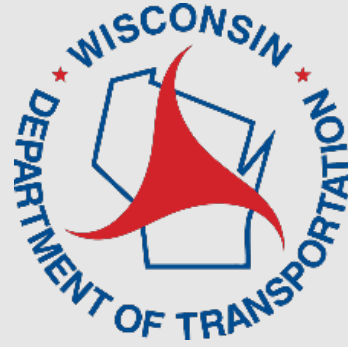
- FWS is proposing to list the tricolored bat as *endangered*.
 - Effective date TBD
- Likely similar avoidance and minimization measures as NLEB.
- WisDOT actively preparing for the anticipated listing.



Pete Pattavina/USFWS



Questions?



Erosion Control & Stormwater Program Updates

Trans 401

- Scope statement published Jan. 8, 2024.
- Purpose: Review and update Trans 401 to bring the rule into conformance with NR 151 and NR 216, as well as other relevant state and federal requirements.
- Goal: Clarity and consistency
- Status



TCGP Implementation

- Working closely with DNR to implement the renewed TCGP.
- Appreciate WTBA's feedback in the renewal process!

Page 1 of 28
WPDES Permit No. WI-S066796-2



*STATE OF WISCONSIN DEPARTMENT OF
NATURAL RESOURCES*

**GENERAL PERMIT TO DISCHARGE UNDER THE
WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM
WPDES Permit No. WI-S066796-2**

In compliance with the provisions of ch. 283, Wis. Stats., chs. NR 151 and 216, Wis. Adm. Code, and s. 30.2022 (2), Wis. Stats., the Wisconsin Department of Transportation (DOT) engaging in land disturbing construction activities including clearing and grubbing, filling, grading and/or excavating, but excluding storm water discharges within Indian Country, that discharges

STORM WATER ASSOCIATED WITH LAND DISTURBING CONSTRUCTION ACTIVITY

is authorized to discharge storm water to waters of the state provided that the discharge is in accordance with the conditions set forth in this permit, the

TRANSPORTATION CONSTRUCTION GENERAL PERMIT.



ECIP – 2024 Form

- Current DT1073 Form will remain active for 2024
 - See hot links in Spec and CMM
 - WisDOT Forms:
<https://wisconsindot.gov/Pages/global-footer/formdocs/default.aspx>
- “Equivalent DT1073 Form” is also available
 - Same information but restores functionality that was lost with the 2023 update
 - Available on the WisDOT Erosion Control website:
<https://wisconsindot.gov/Pages/doing-business/eng-consultants/cnslts-rsrces/environment/erosion-ctrl-drainage.aspx>





Questions?



Hazardous Materials Program Update

HazMat Program Updates

- Monitoring state and federal activity related to PFAS
- Participating in DNR Remediation and Redevelopment Program Rules Advisory Committee related to potential revisions in chs. NR 700-799.

PFAS

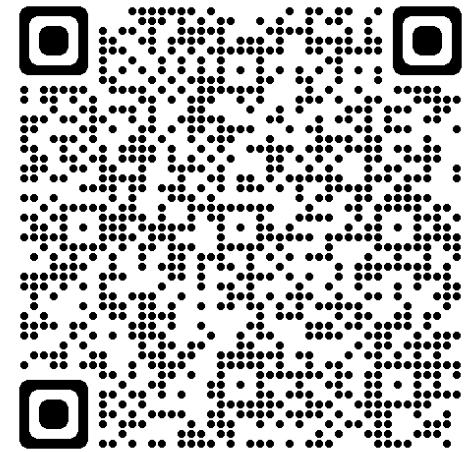
What are PFAS?

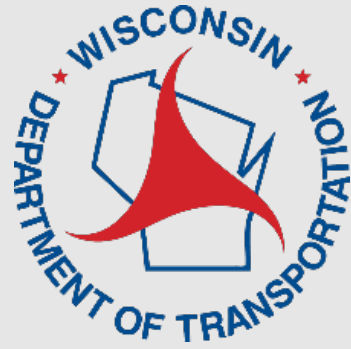
PFAS (per- and poly-fluoroalkyl substances) are synthetic chemicals that do not occur naturally. Strong carbon-fluorine bonds in PFAS make them resistant to degradation and thus highly persistent in the environment. Industry uses PFAS to make a wide variety of products such as apparel, paper, plastics, and food packaging.



Mandatory Disposal Contracts

- Mandatory disposal contracts for:
 - Lamps, ballast, bulbs
 - Mercury containing switches
 - Hazardous waste
 - Tank sludge from underground or above ground petroleum storage tanks
 - Bridge paint waste
- Contractor Responsibility:
 - Construction & demolition waste
 - Solid waste (nonrecyclable paper, glass, metal, other debris)
- Guidance on WisDOT's website





Questions?

DNR-DOT Cooperative Agreement and Partnership

- In a period of major change with environmental rules, regulations and policies in the state and nationally.
- WisDOT is committed to our partnership and cooperative agreement with DNR.
- Cooperative partnership will be valuable as we navigate challenges today and into the future.



Questions or feedback?

Alyssa Barrette

Environmental Services Section Chief

Alyssa.Barrette@dot.wi.gov

(608) 266-1017

