



Environmental Updates for the 2025 Construction Season

Alyssa Barrette

Environmental Services Section Chief

WTBA/WisDOT Contractor-Engineer Conference
Wisconsin Dells, WI

January 17, 2025

Discussion Topics

- Erosion Control & Stormwater Program Updates
 - Trans 401
 - TCGP Implementation
- Endangered Species Updates (🦇 🐝 🦋)
- In-Stream Disturbance
- Environmental Contacts





Erosion Control & Stormwater Program Updates

Trans 401 Rulemaking

- Scope statement - [SS 002-24 \(wisconsin.gov\)](https://www.wisconsin.gov/ss/002-24)
- Purpose
 - Modifications and updates to bring the rule into conformance with NR 151, NR 216 and other relevant rules and standards.
 - Incorporate procedures and requirements that changed with issuance of the TCGP and TS4 permits.
 - Goal: consistency and clarity



Trans 401 Rulemaking – Timeline

- Summer/fall 2024 – stakeholder kick off meetings
- Sep. 2024 to May 2025 – stakeholder engagement meetings and rule drafting
- June & July 2025 – rule drafting, stakeholder review, final drafting
- Aug. 2025 – WisDOT leadership review
- Sep. 2025 – draft rule submitted to legislature for legislative review process
- July 8, 2026 – scope statement expires



Trans 401 Rulemaking

- Anticipated changes:
 - Editorial – updating links and references; electronic submittals
 - Reorganization and structural changes
 - Incorporating and updating to ensure conformance with NR 151 and 216 updates, as well as TCGP and TS4 permits



TCGP Implementation

- Continuing to work closely with DNR to implement the renewed TCGP.
- STSP Update
- Select Site Transfers

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.





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 🦇

Tri-colored Bat (TCB)

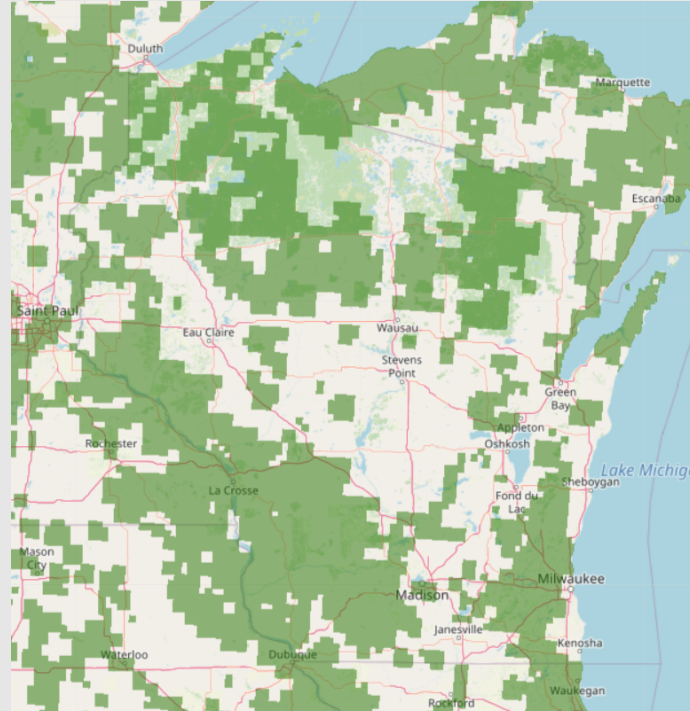
- In Sep. 2022, FWS proposed to list the tricolored bat as *endangered*.
 - Effective date TBD
- Similar avoidance and minimization measures as NLEB.
- WisDOT actively preparing for the anticipated listing.



Pete Pattavina/USFWS

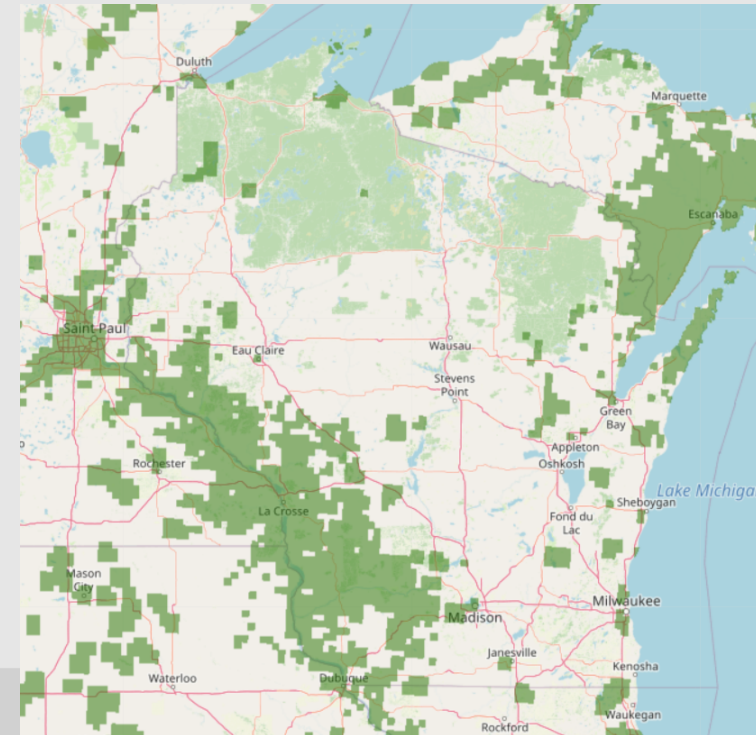
Bat Updates (con't) 🦇

- Range maps →
- STSP updates
 - Incorporated TCB
 - Address reduced ranges
 - Update inactive season dates



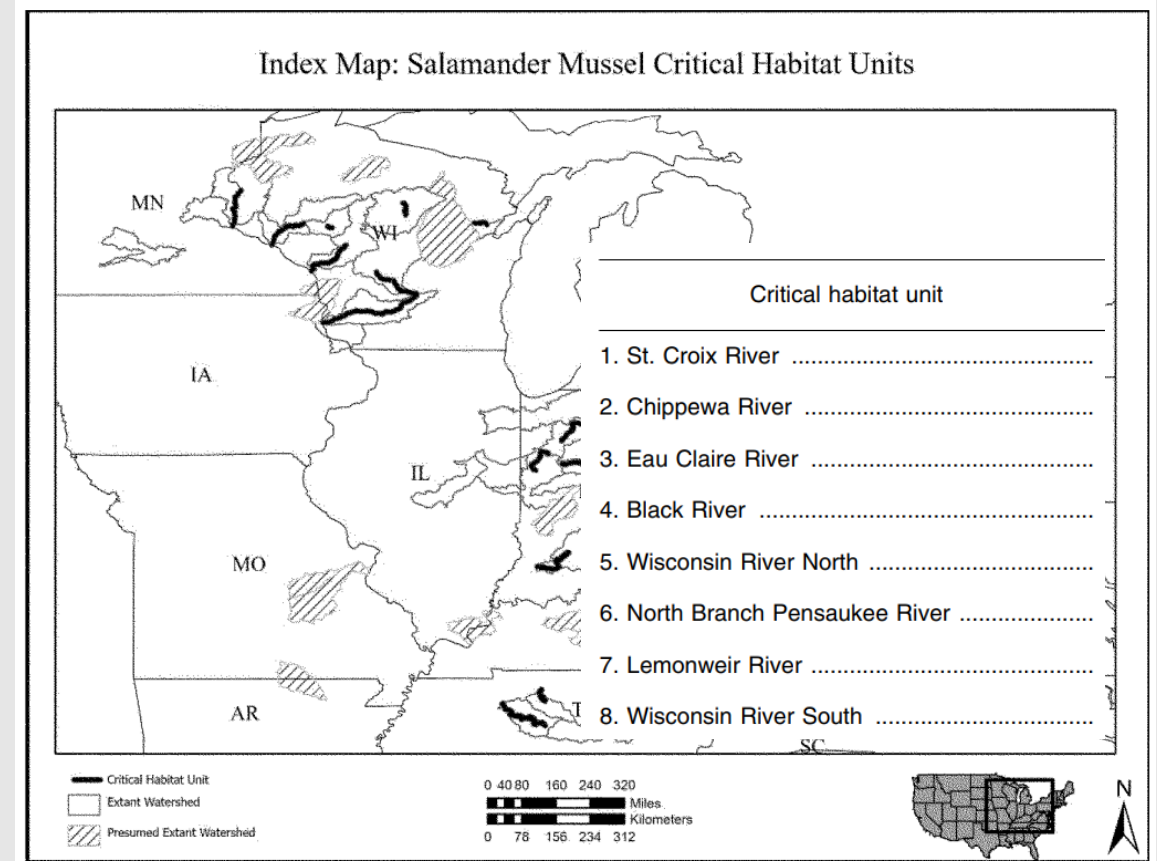
Northern long-eared bat range map (FWS)

Tri-colored bat range map (FWS)



Mussels

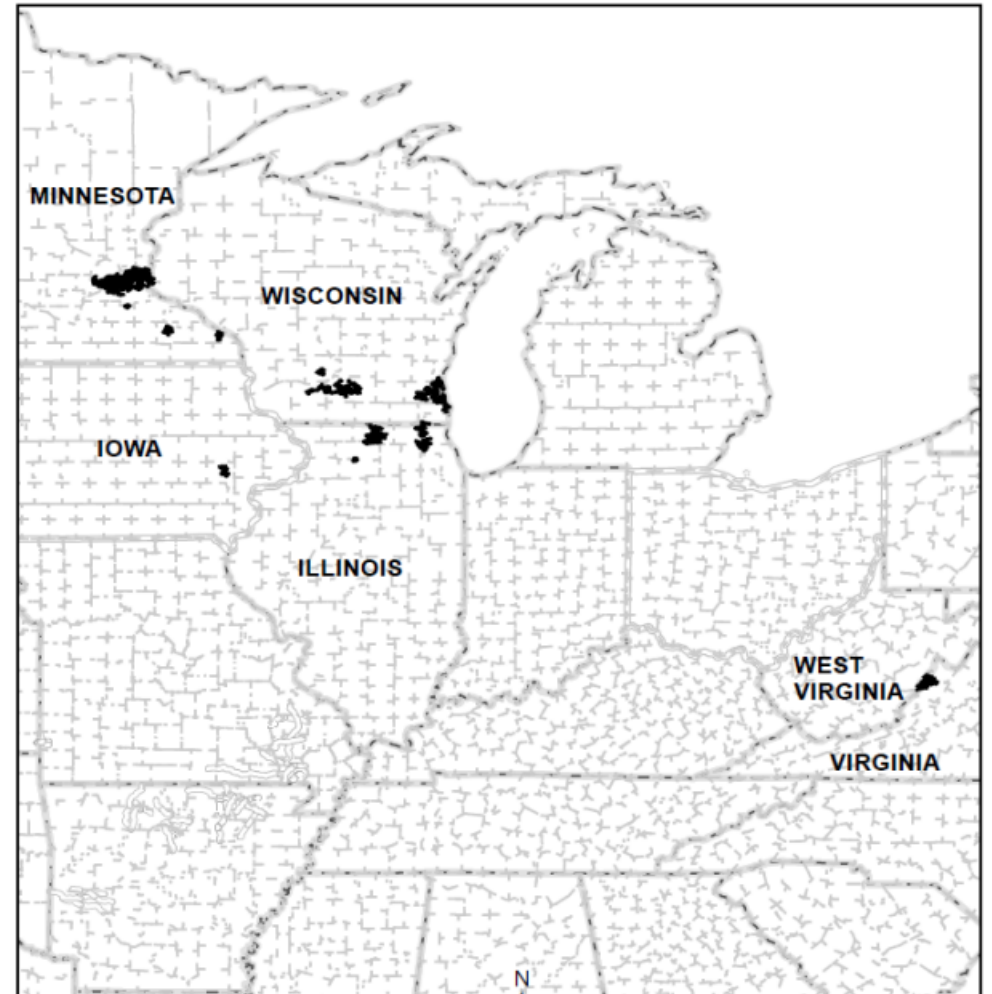
- Proposed salamander mussel rule
 - Endangered
 - Critical habitat
- Proposed critical habitat for:
 - Sheepnose
 - Snuffbox
 - Spectaclecase



Rusty Patched Bumble Bee Critical Habitat

- Proposed rule to designate critical habitat for RPBB

Index Map: Rusty Patched Bumble Bee (*Bombus affinis*) Critical Habitat Units



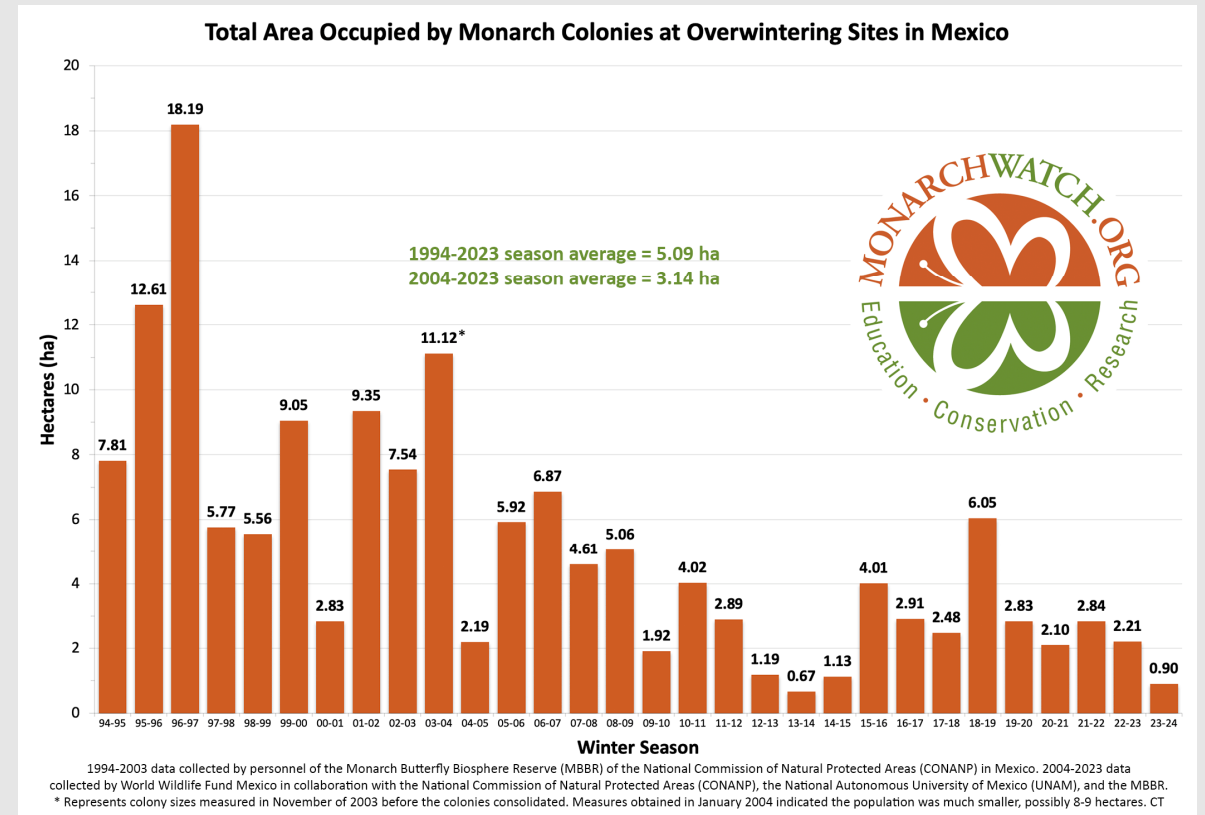
— Critical Habitat
- - - County Boundary
= = = State Boundary

0 75 150 300 Miles
0 120 240 480 Kilometers



Monarch Butterfly

- Proposed rule to list the Monarch Butterfly as *threatened* with a 4(d) rule





Hazardous Materials Program Reminders

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





In-Stream Disturbance Windows

In-Stream Disturbance Windows

- Purpose: protect fish and aquatic resources during sensitive periods in their life cycles (spawning, egg hatching and young fish)
- Windows set by DNR fisheries biologists



In-Stream Disturbance Windows

- Timing Restrictions

- September 15 to June 15 – all Great Lakes tributaries upstream to first barrier
- September 15 to May 15 – all trout streams
- March 1 to June 15 for all other waters

- Variability due to:

- Type of aquatic species present
- Life cycle needs



In-Stream Disturbance Windows

- Is there flexibility with the windows?
 - Typically limited to unique situations
 - Requests for flexibility shouldn't be common practice
- Process
 - Contractor submits request to WisDOT, explaining need
 - WisDOT staff will consult with DNR liaison and fisheries biologists

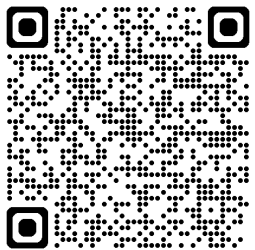




Environmental Contacts

Environmental Services

Alyssa Barrette	Section Chief
Jeremy Ashauer	Erosion & Sediment Control Engineer
Katherine Bruni	Air Quality & Environmental Justice
Jennifer Gibson	Ecologist & Wetland Biologist
Hans Hallanger	Stormwater Quality Engineer
Alyssa Hoersten	Water Resource Specialist
Shar Te Beest	Hazardous Materials



Contact information is available on WisDOT's environmental website.

Environmental Process & Documentation

Jay Waldschmidt	Section Chief
Lynn Cloud	Cultural Resources Team
Katie Kaliszewski	Cultural Resources Team
Sam Rumschlag	Cultural Resources Team
Chris Egger	NEPA Liaison
Mike Helmrick	NEPA Liaison
Jonquil Johnston	NEPA Liaison
Kathie VanPrice	Environmental Analyst
Fred Wisner	NEPA Liaison

Liaisons

Northern Region

Bill Clark williamH.Clark@wisconsin.gov

- Amy Cronk** amy.cronk@wisconsin.gov
- Amy Lesik** amyL.lesik@wisconsin.gov
- Leah Nicol** leah.nicol@wisconsin.gov
- Shawn Haseleu** shawn.haseleu@wisconsin.gov
- Jon Simonsen** jonathan.simonsen@wisconsin.gov
- Wendy Henniges** wendy.henniges@wisconsin.gov

Central Region

Bobbi Jo Fischer bobbi.fischer@wisconsin.gov

- Karen Kalvelage** karen.kalvelage@wisconsin.gov
- Brad Betthausen** bradley.betthausen@wisconsin.gov
- Jay Schiefelbein**
jeremiah.schiefelbein@wisconsin.gov
- Jim Doperalski, Jr.** james.doperalski@wisconsin.gov
- Matt Schaeve** matthew.schaeve@wisconsin.gov
- Marty Dillenburg** marty.dillenburg@wisconsin.gov

Southern Region

Benton Stelzel Benton.stelzel@wisconsin.gov

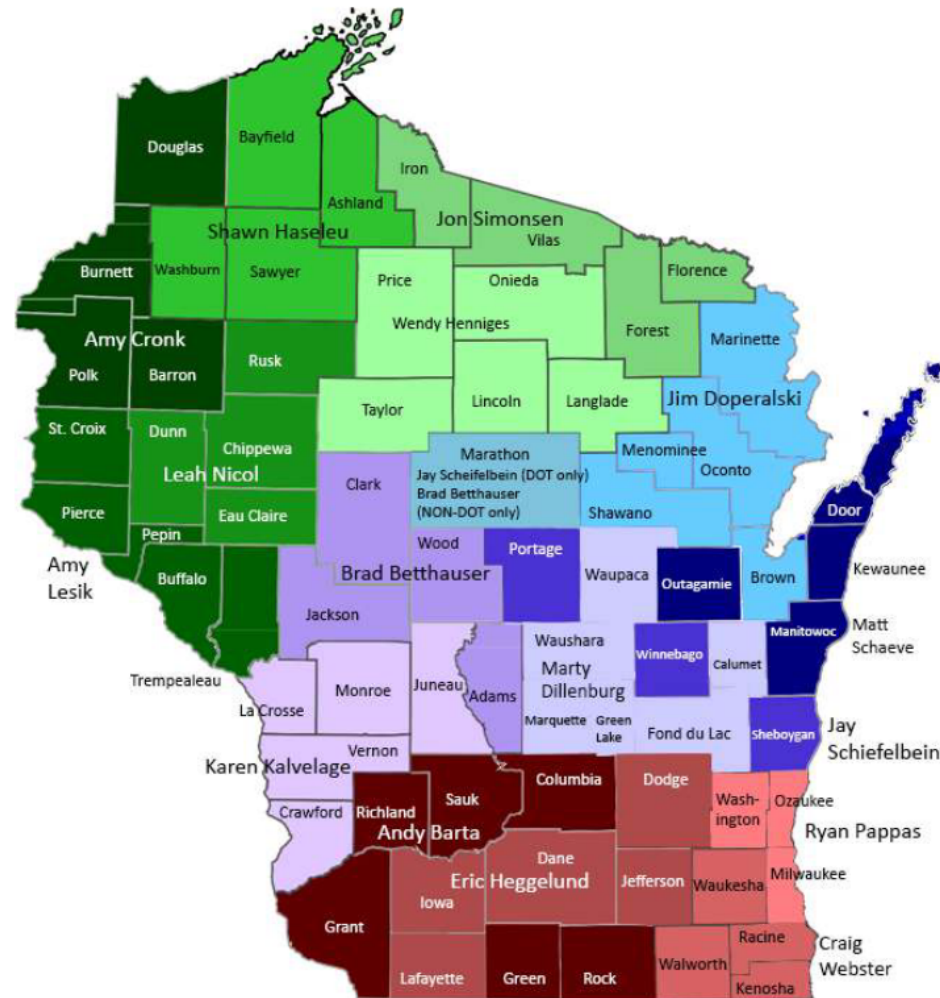
- Andy Barta** andrew.barta@wisconsin.gov
- Eric Heggelund** eric.heggelund@wisconsin.gov
- Craig Webster** craig.webster@wisconsin.gov
- Ryan Pappas** Ryan.pappas@wisconsin.gov

WDNR EA Liaison Assignments

Cami Peterson

Transportation Policy Coordinator

cami.peterson@wisconsin.gov





Questions or feedback?

Alyssa Barrette

Environmental Services Section Chief

Alyssa.Barrette@dot.wi.gov

(608) 266-1017