

## SECTION 5

# Commitment to Impact Mitigation

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Section 101(b) of the National Environmental Policy Act requires that federal agencies incorporate into project planning all practicable measures to mitigate adverse environmental impacts resulting from the proposed action. This section summarizes impact mitigation measures for the recommended alternative. Where applicable, proposed mitigation measures reflect comments received from the public, and state and federal review agencies on the Draft EIS, and as a result of the public hearing. Agency coordination and continued development of mitigation measures for various impact categories will continue throughout subsequent project phases.

## Mitigation Provisions

### Traffic Management

A traffic management plan will be developed and implemented during construction to ensure reasonably convenient access to agricultural fields, residences, businesses, community services, and local roads. Work will be staged to minimize disruption during the construction period. Existing local roads that would intersect the recommended alternative would remain open to traffic with minor interruptions during intersection construction. Traffic flow will be maintained to the extent possible. Detours will be minimized. The WisDOT will coordinate construction activities, sequencing and traffic operations with local fire, police, and emergency rescue services to minimize delays during the construction period.

### Noise and Air Quality

The recommended alternative will cause traffic noise impacts to some adjacent receptors. Noise abatement measures were evaluated and found to be not practicable or cost effective. To reduce the potential impacts of construction noise, the special provisions of the construction contract will require that motorized equipment be operated in compliance with all applicable local, state, and federal laws and regulations relating to noise levels permissible within, and adjacent to the project's construction areas. At a minimum, the provisions will require that motorized construction equipment not be operated between 10 P.M. and 6 A.M. without prior written approval of the project engineer. All construction equipment will be required to have mufflers constructed in accordance with the equipment manufacturer's specifications, or a system of equivalent noise reducing capacity. Mufflers and exhaust systems will be required to be maintained in good operating condition, free of leaks and holes.

Dust control during construction will be in accordance with WisDOT's *Standard Specifications for Road and Bridge Construction*, which require application of water or approved dust control measures during grading operations and on haul roads. The construction and operation of any pavement material batch plants would need to comply with Wisconsin Administrative Code Chapters NR 406 and 407 regarding air quality standards, emissions, and permit requirements.

Open burning of waste material or brush would be done in accordance with local ordinances.

## Property Acquisition

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, provides for payment of fair market value for businesses and residences displaced for a federally funded transportation project. Acquisitions price, cost to purchase a comparable replacement dwelling, moving expenses, increased mortgage payments, closing costs, and other valid relocation costs are paid to residential displacements. Business acquisition, re-establishment, and moving costs are also provided by the Uniform Act. Wisconsin businesses are also eligible for a replacement business payment.

No person or business can be displaced unless a comparable replacement dwelling or business is available for their use. Compensation is available to all displaced persons without discrimination.

All partial property acquisition is compensated in accordance with state and federal codes, policies, statutes, and the Uniform Act. This includes the right of the owner to accompany the appraiser during the appraisal inspection and the right to fair market value for the property acquired. Owners are given the opportunity to obtain an independent appraisal. In the event agreement concerning fair market value is not reached, the property will be acquired by eminent domain and the owner advised of the appropriate appeal procedures.

Any septic tanks, drain fields, or wells that are acquired will be abandoned by WisDOT. If the item is needed by the property owner, the cost to replace the item will be included in the appraisal of that property. The replacement cost will meet current state regulations and local zoning standards.

## Material Source / Disposal Sites

Selection of material source sites will be the responsibility of the construction contractor. It is anticipated that material will be obtained from local existing quarry sites. It is the responsibility of the construction contractor to submit the location of the borrow site and/or existing pit to WisDOT (Bureau of Environment) for an archival search.

Unusable excavated material will be disposed of by the contractor in accordance with the WisDOT *Standard Specifications for Road and Bridge Construction*, or special provisions, to ensure protection of wetlands and waterways.

Waste material generated by the operation and maintenance of construction equipment and other waste material generated by construction activities requiring special disposal methods will be disposed of in accordance with the *Standard Specifications* or special provision, and the WisDOT/WDNR *One-Time Disposal Guidelines*.

## Water Quality

Construction in and near waterways will be performed in accordance with the WisDOT *Standard Specifications for Road and Bridge Construction*, and Wisconsin Administrative Code Chapter TRANS 401 – *Construction Site Erosion Control and Storm Water Management Procedures*. Erosion control devices will be installed before erosion-prone construction activities begin. Temporary and permanent erosion control methods may include silt fences, retention basins,

detention ponds, interceptor ditches, seeding and sodding, riprap of exposed embankments, erosion mats, sheet piling, and mulching. Construction near surface drainageways will be avoided during periods of rapid snow melt or spring rains. Construction at stream crossings/drainage ditches would be conducted during low or normal flow periods. Where applicable, trenched-in erosion bales will be installed in areas of moderate velocity runoff; clean-aggregate ditch checks will be installed in ditches with moderate to high velocity runoff during and after construction; ditches will also be protected with erosion bales and jute matting in conjunction with seeding. Disturbed areas will be re-vegetated as soon as practicable following completion of construction activities, preferably with native vegetation.

## Floodplain and Hydraulics

Hydraulic features of the recommended alternative will adequately handle the 100-year flood without public or emergency vehicle interruption from damage to the roadway or structures. None of the floodplain crossings would cause a substantial potential for interruption or termination of a transportation facility needed for emergency vehicles or the community's only evacuation route. Crossings would be consistent with local floodplain management goals and objectives. Impacts to natural and beneficial floodplain values would be minimized to the extent practicable.

## Wetlands

Commitments for mitigating wetland impacts are presented in Section 6 of this Final EIS, "Wetlands—Only Practicable Alternative Finding". Erosion control will be strictly enforced in accordance with the WisDOT Standard Specifications for Road and Bridge Construction, or special provisions to ensure protection of wetlands and waterways.

## Upland Habitat

Upland habitat that would be affected by the recommended alternative consists of scattered old field, wooded areas, and fencerows. It would not be practicable to mitigate upland habitat loss in the study area without taking active farmland out of production. However, the new right-of-way for the recommended alternative would provide some replacement habitat. Use of native grass seed mixes and shrub plantings would help offset the habitat loss.

## Threatened and Endangered Species

The DNR Bureau of Endangered Resources indicated that there are no state threatened or endangered species in the study area. The information provided by the DNR can be found in Section 3. The U.S. Fish and Wildlife Service indicates that no threatened or endangered species will be affected by the proposed improvements to USH 14/61.

## Permits and Related Approvals

Chapter 30, Wisconsin Statutes, administered by DNR, requires permits for structures and deposits into navigable waters of the State. Section 30.12(4)(a) provides an exemption to the permit requirements for WisDOT actions carried out in accordance with interagency liaison procedures to minimize the adverse effects of transportation actions on environmental resources. Liaison efforts under this Cooperative Agreement cover project development from early corridor alignment studies through selection of a recommended alternative,

design, and construction. Coordination with DNR has been ongoing while developing and refining the alternatives presented in this EIS.

Stream/wetland crossings associated with the proposed project are subject to authorization under Section 404 of the Clean Water Act. The Section 404 permit program, administered by the U.S. Army Corps of Engineers, covers the discharge of fill material into waters of the United States, including wetlands. The Corps of Engineers will be contacted during the project's engineering phase to determine the appropriate type of permit required.

Section 404 authorization is contingent on receipt of water quality certification from DNR under Section 401 of the Clean Water Act, and Wisconsin Administrative Code Chapter NR 299. Coordination with DNR in this regard is accomplished through the WisDOT-DNR Cooperative Agreement.

Section 32.25, Wisconsin Statutes, requires that Relocation Assistance Plans for displaced residences and businesses be approved by the Wisconsin Department of Commerce.

Alternatives on new location, such as the Viroqua and Westby bypasses, would require a change in the official location of applicable existing highways as determined by WisDOT under Section 84, Wisconsin Statutes. In addition, jurisdictional transfer of parts of existing roadways may be applicable.

## **Environmental Protection Agency Pollution Prevention Strategies**

### **Energy Efficient Lighting**

Lighting requirements, if any, would be developed during the project's engineering phase. Where lighting is appropriate, it would be implemented using energy-efficient systems.

### **Use of Recycled Rubber Tires**

WisDOT has limited opportunity to use old tires in highway construction. However, old tires have been used in construction of noise barriers and limited asphalt pavement. In Wisconsin, used tires are incinerated as a fuel source for power plants.

### **Use of Coal Incinerator Ash**

WisDOT uses coal incinerator ashes in various highway construction activities: Fly ash (smoke stack precipitant) in place of Portland cement in concrete, bottom ash (boiler ash) for roadway embankment fill and on town road maintenance projects.

### **Use of Recycled Plastics**

WisDOT uses recycled plastics for items such as noise barriers, fence posts, curb bumpers, rest area picnic tables, and right-of-way markers.

### **Use of Foundry Slag**

WisDOT uses foundry slag in limited pavement designs.

### **Use of Clean Construction/Demolition Debris**

Recycled asphaltic pavement is used in new pavement, for roadway shoulders, as base course, and for town road repair. Recycled concrete pavement is used in new concrete, as

base course, and as riprap for shoreline and stream bank stabilization. Recycled asphaltic shingles are used for new asphaltic pavements. Local governments re-use geotextile silt fences when practicable.



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