

St. Croix River Crossing Project – Implementation of Mitigation Activities

This form is to be used to document completion of certain St. Croix River Crossing Project mitigation actions for which 1) Wisconsin Department of Natural Resources (WisDNR) has responsibility to implement or 2) WisDNR must concur with actions proposed by others. This includes all activities described in the Project's Growth Management Mitigation Memorandum of Understanding (MOU) (all) or item 9b in the Riverway Mitigation MOU.

Action (*list name of MOU and activity #*): Highway 64 Coalition

Applicant (*name, governmental unit, address, contact person phone number and email address*): Mike Darrow, City Administrator, City of New Richmond, 156 East First Street, New Richmond, Wisconsin, 54017.
mdarrow@newrichmondwi.gov, 715-243-0401

Application (*attach separate pages if needed; describe proposal, how it meets applicable MOU objective, expected environmental benefits/products, cost, location, schedule, post-completion management/maintenance, etc.; provide justification if proposal varies from MOU language*): The Highway 64 Coalition is formally requesting \$50,000 from the Highway 64 Stormwater/Wastewater Coalition for Phase I of the Highway 64 Water and Wastewater regional planning project. The mission of the Highway 64 Coalition is to facilitate efficient implementation of Phase 2 stormwater programs locally and regionally, that will both meet WDNR and EPA regulatory requirements, and maximize the benefit of stormwater activities to the watershed by fostering partnerships and by providing technical, administrative and financial assistance to members. The Highway 64 Stormwater and Wastewater Coalition consists of the Towns of St. Joseph and Somerset, the Villages of Somerset, Star Prairie and Deer Park, and the City of New Richmond and serves as the coordinating/recommending body for the expenditure of stormwater and wastewater planning and implementation funds specified in the St. Croix River Crossing Project MOU for the Implementation of Growth Management Mitigation Items (Section: III. A.3. b and c). Coalition activities aim to achieve a coordinated benefit of stormwater and wastewater activities for the units of government represented and to the region as a whole to the greatest extent practicable. During the fall of 2013, the coalition discussed hiring a consulting firm to develop a regional action and implementation plan on behalf of the MOU municipalities. An RFP was developed and sent directly to various regional firms and was placed on the League of Minnesota Cities and League of Wisconsin Cities websites. (See Attached RFP) The coalition received a total of four (4) submittals from the following firms: MSA, SEH, West Central Wisconsin Regional Planning, and WSB/Stevens. Formal interviews with each of the four firms took place on December 12, 2013 at St. Joseph's Town Hall. Firms were given a total of 30 minutes to make presentations on their ideas for a regional planning document. After going into closed session, the Coalition invited MSA and WSB/Stevens to provide additional information for a second review. The second review discussed breaking down the project into two phases: Phase I funding would not exceed a contract amount of \$50,000. This phase would include information gathering and would also allow the coalition to identify other partners within the region that were not specifically identified within the MOU. Phase II would be developed during Phase I and would specifically identify funding sources for assisting in the implementation activities for the region.

Consultation with other parties (*for Riverway MOU item 9b only*):

WisDNR Stewardship Grant eligibility (*preliminary screening by Community Assistance staff*): Yes No

MnSHPO _____ (date) Response:Click here to enter text.
WisSHPO _____ (date) Response:Click here to enter text.
Indian Tribes* _____ (date) Response:Click here to enter text.

(* - WisDNR can provide a list of Indian Tribes to contact)

Advisory Team Review (*list date considered, Advisory Team findings/recommendations*): The Coalition met on January 9, 2014 to review the two final firms. After discussion, the Coalition recommended MSA to be the Phase I consulting group for this project. The Coalition recognized that each of the four firms that applied were fully qualified to develop this plan with our regional partners. On behalf of the Coalition partners, we are formally recommending MSA as our Professional Consultant for Phase I at a cost not to exceed \$50,000. We are further recommending that GMAT members approve this project in a special meeting so that we can begin this important project immediately. Finally, we are recommending reimbursement of RFP costs of \$75.00 for the posting of the RFP.

WisDNR Concurrence (*for release of funds by St. Croix County*)

Approve as proposed: _____ (date)

Approve with conditions: _____ (date) Conditions (*include any reporting requirements for Applicant*): Click here to enter text.

Denied: _____ (date) Suggested revisions (*guidance for possible Applicant re-submittal*): Click here to enter text.

Implementation Tracking Log (*for funded projects*)

Funds received by Applicant _____ (date):Click here to enter text.

Progress on implementation (*this should be a brief, running summary coinciding with Applicant reporting requirements*):Click here to enter text.

Mitigation Action Completed

Action completed (*WisDNR determination*): _____ (date)

Final report submitted by WisDNR to MnDOT, WisDOT and FHWA: _____ (date)

St. Croix River Crossing Project – Implementation of Mitigation Activities

This form is to be used to document completion of certain St. Croix River Crossing Project mitigation actions for which 1) Wisconsin Department of Natural Resources (WisDNR) has responsibility to implement or 2) WisDNR must concur with actions proposed by others. This includes all activities described in the Project's Growth Management Mitigation Memorandum of Understanding (MOU) (all) or item 9b in the Riverway Mitigation MOU.

Action (*list name of MOU and activity #*):

Growth Management Mitigation MOU, Section III, Activity A3b. and A3c.

Applicant (*name, governmental unit, address, contact person phone number and email address*):

Mike Darrow, Chair
State Trunk Highway 64 Corridor Communities
156 East First Street
New Richmond, WI 54017

Contact: Charles D. Schwartz, PE, Highway 64 Coalition Engineer

612-548-3141

cschwartz@msa-ps.com

Application (*attach separate pages if needed; describe proposal, how it meets applicable MOU objective, expected environmental benefits/products, cost, location, schedule, post-completion management/maintenance, etc.; provide justification if proposal varies from MOU language*):

The STH 64 Corridor Communities currently identified in the MOU include the City of New Richmond, Villages of Somerset, Deer Park, and Star Prairie, and the Towns of Somerset and St. Joseph. Addition of the Towns of Stanton, Richmond, Star Prairie and Cylon is being pursued. The Corridor Communities efforts are aimed toward the development of a 'living document' watershed plan and a blueprint of wastewater collection and treatment options for each corridor community, and the corridor as a whole. This work has been divided into two phases. This application is requesting \$50,000 for professional services and administrative costs to complete Phase 1, the development of project scoping and funding documents. Administrative costs of not-to-exceed \$1,000 will include \$75 advertisement for professional services, fees associated with professional service invoicing administration, and promoting public involvement and Participation. Phase 1 professional services consists of 3 tasks.

Phase 1 – Development of Project Scoping and Funding Documents

- Task 1 – Public Process and Participation. MSA This task consists of working with the Coalition and individual member communities to identify water quality goals for the watershed, establish a technical steering committee, and engage the public.
- Task 2 – Develop Land and Watershed Resources and Wastewater Inventory. This task consists of obtaining available information and revisiting past management studies and plans. Task 2 includes identifying the capacity of receiving waters within the corridor for wastewater, and the areas of groundwater contamination.
- Task 3 – Develop Scoping and Funding Documents. Having identified critical resources, impaired resources, and issues related to wastewater facilities' needs within the project area, the scope of Phase 2 of the study would be completed along with the identification of potential funding sources.

Phase 1 investment is intended to gain a better understanding of the water quality goals of the coalition, identify resource related development barriers that would shape appropriate growth, and better position the corridor and member communities in their pursuit for matching funds to target specific project activities with applicable funding programs. Phase 2 work is anticipated to include watershed modeling and evaluating, to identify where water quality improvements can be gained that may shape future growth, as well as any needs to enter wastewater facility planning and stormwater management activities to protect water quality and plan for future development.

This project meets the objectives of the MOU. The work will lead to the preparation of a watershed plan document to guide the Communities in assessing, prioritizing, implementing and monitoring water resources goals and

objectives. The resulting plan can be thought of as a roadmap to successful watershed management. Also, corridor communities need to determine the best means of wastewater treatment, stormwater management, and conveyance in more densely developed areas (e.g. gravity collection and pressure sewers). This plan is intended to assess each community's current situation and develop a common understanding of the region. Member communities will be provided with pertinent wastewater information to make sound decisions and partake in multijurisdictional projects where applicable.

It is the intent to have Phase 1 activities completed by August 1, 2014.

Consultation with other parties *(for Riverway MOU item 2b only):*

WisDNR Stewardship Grant eligibility *(preliminary screening by Community Assistance staff)*: Yes No

MnSHPO _____ *(date)* Response: [Click here to enter text.](#)

WisSHPO _____ *(date)* Response: [Click here to enter text.](#)

Indian Tribes* _____ *(date)* Response: [Click here to enter text.](#)

(- WisDNR can provide a list of Indian Tribes to contact)*

Advisory Team Review *(list date considered, Advisory Team findings/recommendations)*: [Click here to enter text.](#)

WisDNR Concurrence *(for release of funds by St. Croix County)*

Approve as proposed: _____ *(date)*

Approve with conditions: _____ *(date)* Conditions *(include any reporting requirements for Applicant)*: [Click here to enter text.](#)

Denied: _____ *(date)* Suggested revisions *(guidance for possible Applicant re-submittal)*: [Click here to enter text.](#)

Implementation Tracking Log *(for funded projects)*

Funds received by Applicant _____ *(date)*: [Click here to enter text.](#)

Progress on implementation *(this should be a brief, running summary coinciding with Applicant reporting requirements)*: [Click here to enter text.](#)

Mitigation Action Completed

Action completed *(WisDNR determination)*: _____ *(date)*

Final report submitted by WisDNR to MnDOT, WisDOT and FHWA: _____ *(date)*

Agreement No.: HLC 002
~~Act #~~ 58320
Amount: \$25,000

Study of Sanitary Wastewater Treatment Facility Needs Agreement of the
St. Croix River Crossing Project
MOU For the Implementation of Growth Management Mitigation Items,
Section IIIA.3b.
Between
State of Wisconsin, Department of Natural Resources,
St. Croix County Community Development Department,
And
State Trunk Highway (STH) 64 Corridor Communities

- I. GENERAL INFORMATION:
Grantee/Project Sponsor: STH 64 Corridor Communities
Project Title: STH 64 Corridor Communities Watershed and Wastewater Management Plans
Period Covered by This Agreement: February 13, 2014 – December 31, 2014
- II. AGREEMENT RECIPIENT: STH 64 Corridor Communities
- III. AUTHORITY: This agreement between the State of Wisconsin Department of Natural Resources (hereinafter referred to as WDNR), St. Croix County Community Development Department (herein referred to as County), and STH 64 Corridor Communities (hereinafter referred to as Communities) is hereby entered into pursuant to Wis. Stat. s. 29.037
- IV. PURPOSE: The purpose of this agreement is to facilitate the WDNR to review and concur with projects developed by the Communities, and authorize St. Croix County to make expend funds in accord with the St. Croix Crossing Project Mitigation Package: Study of Sanitary Wastewater Treatment Facility Needs MOU.
- V. BACKGROUND: The St. Croix Crossing project involves the construction of a new bridge across the St. Croix River in St. Croix County, Wisconsin. The Supplemental Final EIS (SFEIS) prepared for the project includes a section on bridge mitigation items. Included in this mitigation package is \$400,000 designated to the County. The purpose of this \$400,000 is to study sanitary wastewater treatment facility needs or upgrade/expansion alternatives that accommodate projected population growth while protecting human health and water resources. Once mitigation funds became available the County requested project proposals to decide how to allocate the \$400,000. One of the approved proposals was to secure funding for the STH 64 Corridor Communities Phase 1 Project. This is an agreement between the WDNR, County and Communities on how the mitigation dollars will be spent on this project.

- VI. SCOPE: Upon WDNR concurrence, St. Croix County will provide the Coalition with \$25,000, under section IIIA.3b. of the MOU, to fund a portion of the cost of the STH 64 Corridor Communities Phase 1 Project, to be completed by December 31, 2014. A one-time payment in the amount of \$25,000 will be given to the Coalition for this purpose.

In return the Communities shall complete the project as described in the Communities' St. Croix River Crossing Project – Implementation of Mitigation Activities Application Form and submit reports to WDNR upon completion of the objectives as outlined in the application.

- VII. PERIOD OF PERFORMANCE: This agreement shall remain in effect until December 31, 2014. The WDNR, County, and Coalition may periodically evaluate this agreement and, if mutually agreed, will amend the agreement as necessary. Any modifications to this agreement shall become effective upon approval by all parties.

- VIII. PARTY REPRESENTATIVES: The representatives of the parties who shall serve as project coordinators and principal contacts for the purposes of this agreement are as follows:

Communities: Mike Darrow, Chair
Highway 64 Stormwater and Wastewater Coalition
156 East First Street
New Richmond, WI 54017

County: Ellen Denzer, Director
St. Croix Community Development
1101 Carmichael Road
Hudson, WI 54016

WDNR: Dan Baumann, P.E., Regional Director
1300 West Clairemont Avenue
Eau Claire, WI 54701

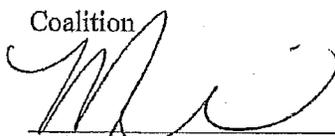
IX. SPECIAL PROVISIONS:

- A. The Communities agree that information gathered as a result of the projects will be readily available, as needed, to other entities in St. Croix County operating within the context of the Study of Sanitary Wastewater Treatment Facility Needs MOU associated within the St. Croix Crossing Project SFEIS.
- B. The Communities agree that failure on its part to abide by the project contract and its stipulations could require a repayment of the mitigation funds.
- C. This agreement does not impose any obligation, financial or otherwise, upon the WDNR in regards to the subsequent operation and/or maintenance of any facilities developed in this project.

X. LIABILITY: The Communities recognize and understand that they may be responsible for the consequences of their own acts, errors, or omissions and those of its employees, agents, boards, commissions, agencies, officers and representatives, including providing its own defense. To the extent authorized by law, the WDNR and County shall be responsible for the consequences of their own acts, errors, or omissions and those of its employees, agents, contractors, officers, and representatives and shall be responsible for any losses, claims and liabilities which are attributable to such acts, errors or omissions. It is not the intent of the parties to impose liability beyond that imposed by Wisconsin Statutes. This clause applies only to actions of each party pursuant to this agreement, and does not apply to actions or events that occur outside the scope of this agreement.

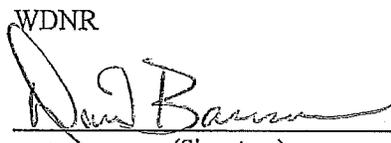
By signature the Communities, County, and the WDNR hereby accept all terms and conditions of this agreement without exception, deletion or alteration.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed as of the date therein written.

Coalition


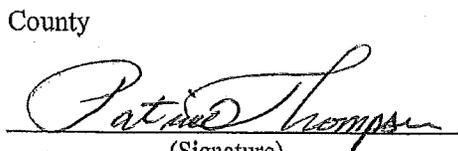
(Signature)
Mike Darrow
Chair
4/10/14

(Date)

WDNR


(Signature)
Daniel Baumann, P.E.
Regional Director
4/11/14

(Date)

County


(Signature)
Patrick Thompson
Administrator
4.14.14

(Date)

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1300 W. Clairemont Ave.
Eau Claire WI 54701

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



April 11, 2014

St. Croix County Community Development
Attention: Ellen Denzer
1101 Carmichael Road
Hudson WI 54016

Subject: Release of Growth Management Funds – HCC002

Dear Ms. Ellen Denzer:

During the meeting of the Growth Management Advisory Team (GMAT) on February 6, 2014 the State Trunk Highway 64 Corridor Communities submitted a request for \$25,000.00 for the Study of Sanitary Wastewater Treatment Facility Needs under MOU section IIIA3c agreement #HCC002. The GMAT members unanimously recommended funding for this plan.

Upon review, the Wisconsin Department of Natural Resources (WDNR) is approving the requested release of Growth Management funds held by St. Croix County. St. Croix County is approved to release \$25,000.00 of the \$400,000.00 in Growth Management Funds, in account #58320, allocated to the State Trunk Highway 64 Corridor Communities.

For tracking purposes, please forward to the WDNR verification of the release of these funds.

Respectfully,



Dan Baumann, P.E.,
WDNR WCR Director

CC: Mike Darrow – Chair, HWY 64 Corridor Communities Coalition

Agreement No.: ACC001

~~PG Act 5832/~~

Amount: \$25,000

Planning, Ordinance Development and Implementation of Local Stormwater Management Programs
St. Croix River Crossing Project

MOU For the Implementation of Growth Management Mitigation Items,
Section IIIA.3c.

Between

State of Wisconsin, Department of Natural Resources,
St. Croix County Community Development Department,

And

State Trunk Highway (STH) 64 Corridor Communities

- I. GENERAL INFORMATION:
Grantee/Project Sponsor: STH 64 Corridor Communities
Project Title: STH 64 Corridor Communities Watershed and Wastewater Management Plans
Period Covered by This Agreement: February 13, 2014 – December 31, 2014
- II. AGREEMENT RECIPIENT: STH 64 Corridor Communities
- III. AUTHORITY: This agreement between the State of Wisconsin Department of Natural Resources (hereinafter referred to as WDNR), St. Croix County Community Development Department (herein referred to as County), and STH 64 Corridor Communities (hereinafter referred to as Communities) is hereby entered into pursuant to Wis. Stat. s. 29.037
- IV. PURPOSE: The purpose of this agreement is to facilitate the WDNR to review and concur with projects developed by the Communities, and authorize St. Croix County to expend funds in accord with the St. Croix Crossing Project Mitigation Package: Planning, Ordinance Development and Implementation of Local Stormwater Management Programs MOU.
- V. BACKGROUND: The St. Croix Crossing project involves the construction of a new bridge across the St. Croix River in St. Croix County, Wisconsin. The Supplemental Final EIS (SFEIS) prepared for the project includes a section on bridge mitigation items. Included in this mitigation package is \$400,000 designated to the County. The purpose of this \$400,000 is for the purpose of planning, ordinance development, and implementation of local stormwater management program(s) to protect surface water quality. Once mitigation funds became available the County requested project proposals to decide how to allocate the \$400,000. One of the approved proposals was to secure funding for the STH 64 Corridor Communities Phase 1 Project. This is an agreement between the WDNR, County and Communities on how the mitigation dollars will be spent on this project.

- VI. SCOPE: Upon WDNR concurrence, St. Croix County will provide the Coalition with \$25,000, under section IIIA.3c. of the MOU, to fund a portion of the cost of the STH 64 Corridor Communities Phase 1 Project, to be completed by December 31, 2014. A one-time payment in the amount of \$25,000 will be given to the Coalition for this purpose.

In return the Communities shall complete the project as described in the Communities' St. Croix River Crossing Project – Implementation of Mitigation Activities Application Form (version as revised dated 3/6/14) and submit reports to WDNR upon completion of the objectives as outlined in the application.

- VII. PERIOD OF PERFORMANCE: This agreement shall remain in effect until December 31, 2014. The WDNR, County, and Coalition may periodically evaluate this agreement and, if mutually agreed, will amend the agreement as necessary. Any modifications to this agreement shall become effective upon approval by all parties.

- VIII. PARTY REPRESENTATIVES: The representatives of the parties who shall serve as project coordinators and principal contacts for the purposes of this agreement are as follows:

Communities: Mike Darrow, Chair
Highway 64 Stormwater and Wastewater Coalition
156 East First Street
New Richmond, WI 54017

County: Ellen Denzer, Director
St. Croix Community Development
1101 Carmichael Road
Hudson, WI 54016

WDNR: Dan Baumann, P.E., Regional Director
1300 West Clairemont Avenue
Eau Claire, WI 54701

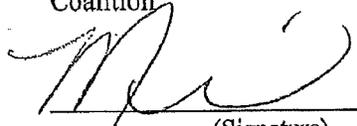
IX. SPECIAL PROVISIONS:

- A. The Communities agree that information gathered as a result of the projects will be readily available, as needed, to other entities in St. Croix County operating within the context of Section IIIA.3.c of the MOU associated within the St. Croix Crossing Project SFBIS.
- B. The Communities agree that failure on its part to abide by the project contract and its stipulations could require a repayment of the mitigation funds.
- C. This agreement does not impose any obligation, financial or otherwise, upon the WDNR in regards to the subsequent operation and/or maintenance of any facilities developed in this project.

X. LIABILITY: The Communities recognize and understand that they may be responsible for the consequences of their own acts, errors, or omissions and those of its employees, agents, boards, commissions, agencies, officers and representatives, including providing its own defense. To the extent authorized by law, the WDNR and County shall be responsible for the consequences of their own acts, errors, or omissions and those of its employees, agents, contractors, officers, and representatives and shall be responsible for any losses, claims and liabilities which are attributable to such acts, errors or omissions. It is not the intent of the parties to impose liability beyond that imposed by Wisconsin Statutes. This clause applies only to actions of each party pursuant to this agreement, and does not apply to actions or events that occur outside the scope of this agreement.

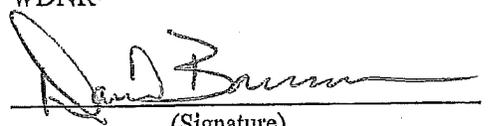
By signature the Communities, County, and the WDNR hereby accept all terms and conditions of this agreement without exception, deletion or alteration.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed as of the date therein written.

Coalition


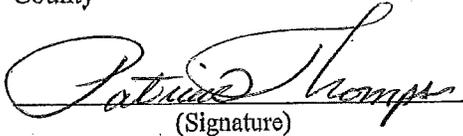
(Signature)
Mike Darrow
Chair
4/10/14

(Date)

WDNR


(Signature)
Daniel Baumann, P.E.
Regional Director
4/11/14

(Date)

County


(Signature)
Patrick Thompson
Administrator
4.14.14

(Date)

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1300 W. Clairemont Ave.
Eau Claire WI 54701

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



April 11, 2014

St. Croix County Community Development
Attention: Ellen Denzer
1101 Carmichael Road
Hudson WI 54016

Subject: Release of Growth Management Funds – HCC001

Dear Ms. Ellen Denzer:

During the meeting of the Growth Management Advisory Team (GMAT) on February 6, 2014 the State Trunk Highway 64 Corridor Communities submitted a request for \$25,000.00 for the Planning, Ordinance Development and Implementation of Local Stormwater Management Programs under MOU section IIIA3c agreement #HCC002. The GMAT members unanimously recommended funding for this plan.

Upon review, the Wisconsin Department of Natural Resources (WDNR) is approving the requested release of Growth Management funds held by St. Croix County. St. Croix County is approved to release \$25,000.00 of the \$400,000.00 in Growth Management Funds, account #58321, allocated to the State Trunk Highway 64 Corridor Communities.

For tracking purposes, please forward to the WDNR verification of the release of these funds.

Respectfully,

A handwritten signature in black ink, appearing to read 'Dan Baumann'.

Dan Baumann, P.E.,
WDNR WCR Director

CC: Mike Darrow – Chair, HWY 64 Corridor Communities Coalition