

**LIST OF PROJECTS  
COVERED BY THE  
PROGRAMMATIC ENVIRONMENTAL REPORT**

The actions identified and described below may be covered by the programmatic Environmental Report (pER). Projects which have the characteristics described below and are in conformance with the Criteria for the programmatic Environmental Report in [FDM 21-5 Attachment 1.2](#), would not normally require an individual Environmental Report (ER). Other factors, such as the level or degree of controversy, may require an individual ER for any given project.

The FHWA is the final arbiter of the applicability of a federal-aid project to the pER. The Bureau of Environment would function in a similar role for projects funded only with state monies.

**3R PROJECTS** - Highway improvement projects which require minimal or no land acquisition.

- **Resurfacing** of a highway which involves no major changes to the highway's horizontal or vertical alignment or to its horizontal cross-sectional elements.
- **Minor Reconditioning** of a highway which involves widening of the highway's shoulders or pavement and minor changes to roadway geometrics.
- **Major Reconditioning** of a highway which involves complete rehabilitation of the highway, including replacement of the driving surface and restoration of the aggregate base course, and improvements to enhance safety, geometrics, drainage or intersections, with minimal or no improvement in vehicular capacity.

**MINOR BRIDGE PROJECTS** - Bridge improvement projects which require minimal or no land acquisition.

- **Bridge Replacement** - Replacement of a bridge at the location of the existing structure, or at a new location contiguous to the existing structure.
- **Bridge Rehabilitation** - The repair, restoration or replacement of the components of the existing structure, including asphaltic surfacing, concrete overlays, rails or ties.

**CRITERIA  
for the  
PROGRAMMATIC ENVIRONMENTAL REPORT**

The intent of these criteria is to establish a gauge which may be used to determine whether an ER project needs an individual environmental document. If a project meets the criteria, it is not necessary to prepare an environmental document. The project would be covered by the programmatic ER (pER) and meet the requirements of the Wisconsin Environmental Policy Act (WEPA) and the National Environmental Policy Act (NEPA).

If a project exceeds any criterion, an individual environmental document is required. The individual environmental document requires approval by the Federal Highway Administration (FHWA) if the project is federally funded.

Coordination with DNR is required pursuant to the WisDOT/DNR Cooperative Agreement for every project which is covered by the pER. Coordination with other agencies may be required to determine whether a criterion would apply.

The criteria have been established in consultation with the FHWA. **The FHWA shall be the final arbiter of their applicability for all federal-aid projects. The Bureau of Environment (BOE) shall be the final arbiter for projects which are only State funded.**

**It should be carefully noted that other factors, such as the level or degree of controversy, may require an individual environmental document for any given project.**

**Programmatic Criteria**

1. Right-of-way acquired by fee simple purchase, permanent or temporary easement, right of entry, gift or other device shall be limited to:
  - a. A maximum of one acre for any one mile (0.25 ha for any 1 km) for major reconditioning, minor reconditioning and resurfacing (3R) projects.
  - b. A maximum of one half acre (0.2 ha) per bridge rehabilitation projects (including full deck replacement) or minor bridge replacement projects.

**NOTE: The above areas are contingent on the criteria shown on Page 1, items 1 & 2 of [FDM 26-5-1](#).**
- c. No residential, commercial, or industrial displacements. Vacant buildings which are not significant cultural resources\* may be acquired.
2. Significant Cultural Resources\* - Effects to a significant cultural resource cannot be adverse.  
\*Cultural resources are significant only if they are on or eligible for the National Register of Historic Places.
3. No acquisition of lands under the protection of Section 6(f) of the Land And Water Conservation Act of 1965 (LAWCON or LWCF) or lands purchased or improved with Dingel/Johnson (Federal Aid in Fish Restoration Act) or Pittman/Robertson (Federal Aid in Wildlife Restoration Act) funds. See [FDM 21-25-5](#).
4. A Nationwide Section 404 permit must be applicable (and authorizable) as appropriate for any fill into any wetland, stream, lake, or other waters of the United States. See [FDM 21-30-1](#).
5. All acquisitions from farm operations must be non-significant as defined in the DATCP Cooperative Agreement. See [FDM 20-30-1](#).
6. An Air Quality Notice of Intent to Construct or Modify is not required.
7. A noise analysis is not required as per [Chapter 23](#). Construction noise would be controlled through the use of Standard Specifications and, when necessary, special contract provisions.
8. No properties with hazardous materials or wastes would be acquired.
9. No adverse effects on endangered species or their habitat.
10. No disproportionately high and adverse effects on minority populations or low-income populations.
11. No substantive change in the access controls along the length of the project. Minor access adjustments for individual parcels would be acceptable, e.g., access moved off the road to be improved onto a side road.
12. The action must be consistent with the local transportation improvement and air quality plans and (in the case of urban projects) must have received approval of the Urban Transportation Planning Agency.
13. The action is consistent with the goals of the Coastal Zone Management Plan. **(This is applicable only in counties located in Wisconsin's Coastal Zone.)** See [FDM 20-30 Attachment 1.4](#).

14. No significant encroachment into a floodplain pursuant to Governor's Executive Order 79. This is the State of Wisconsin's equivalent to Executive Order 11988 and has the same requirements. See [FDM 21-25-25](#).

**IN ADDITION TO THOSE CRITERIA SHOWN ABOVE, FEDERAL-AID PROJECTS ALSO HAVE THE FOLLOWING CRITERIA**

1. No use of lands or other properties under the purview of Section 4(f) unless a Programmatic Section 4(f) approval has been made by the FHWA. See [FDM 21-25-1](#).
2. The FHWA Statewide Wetland Finding must be applicable for wetland uses as per [FDM 21-25-20](#).
3. No significant encroachments into a floodplain pursuant to Executive Order 11988. See [FDM 21-25-25](#).
4. Coordination with the U.S. Natural Resources Conservation Service is not required. A score of less than sixty (60) points in Part VI of form AD-1006, the Farmland Conversion Impact Rating, is required if lands under the purview of the Farmland Protection Policy Act (FPPA) are permanently converted to another use. See [FDM 21-25-35](#).
5. No use of lands or waters of rivers designated as Wild/Scenic Rivers by the U.S. Government. See [FDM 20-5-10](#).
6. No permits required from the United States Coast Guard. See [FDM 21-30-1](#).