



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
332 MINNESOTA STREET, SUITE E1500
ST. PAUL, MN 55101-1323

Regulatory File No. 2009-04421-MWM

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]:

This letter is in regard to an approved jurisdictional determination for Sediment Basin 1, 2, 5 and 6, Biofilter 5 and 6, Ditch 1, Wetland 1 (1A, 1B, and 1Ca), and Wetland 2 on the Emerald Park Landfill site in the City of Muskego. The project site is in Section 36, Township 5 North, Range 20 East, Waukesha County, Wisconsin. The review area for our jurisdictional determination is identified on the enclosed figures, labeled 2009-04421-MWM Figure 1 of 3 through 3 of 3.

The review area contains no waters of the United States subject to Corps of Engineers (Corps) jurisdiction. Therefore, you are not required to obtain Department of the Army authorization to discharge dredged or fill material within this area. The rationale for this determination is provided in the enclosed Approved Jurisdictional Determination form. This determination is only valid for the review area described. You are also cautioned that the area of waters described on the enclosed Jurisdictional Determination form is approximate and is not based on a precise delineation of aquatic resources.

If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the determination in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five year period provided you submit a written request and our staff are able to verify that the limits established during the original determination are still accurate.

If you have any questions, please contact [REDACTED]
[REDACTED]. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

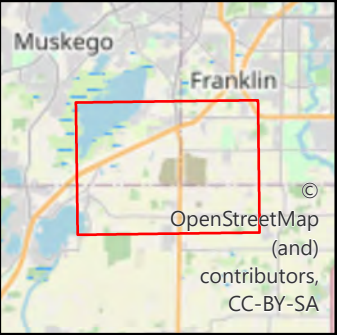
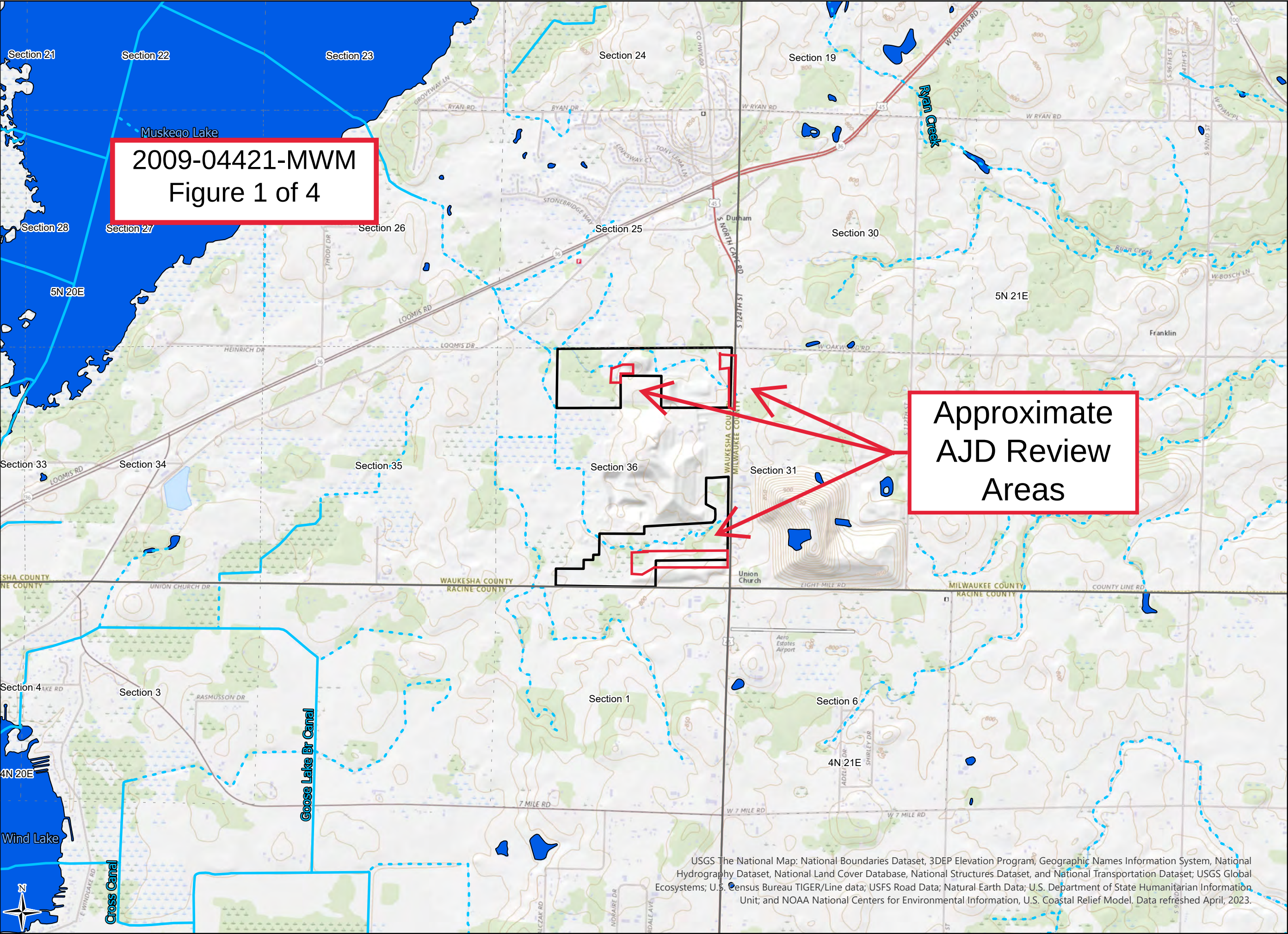
Sincerely,

A large black rectangular redaction box covering the signature area.

Enclosures

cc:

[REDACTED], Wisconsin Department of Natural Resources



- Study Area (192.86 ac)
- PLSS Township
- PLSS Section
- Perennial Streams
- Intermittent Streams
- Waterbodies

0 1,000 2,000
Ft

Heartland
ECOLOGICAL GROUP INC

Figure 2. USGS
Topography
Emerald Park Landfill
Project #20231066
T5N, R20E, S36
C Muskego, Waukesha Co

USGSTopo
USGS

LRR: MW

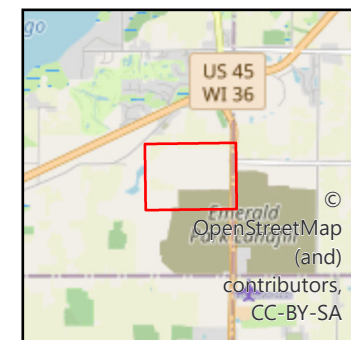
Figure Created: 8/17/2023

USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed April, 2023.

2009-04421-MWM
Figure 2 of 4

Northwestern
Review Area

Northeastern
Review Area



- Study Area (105.78 ac)
- Field Delineated Wetland (21.22 ac)
- Rip-rap
- Culvert
- Waterway
- Waukesha Co 1ft Contours
- Leachate Load Out Area
- Outlet Structure
- Sample Points
 - Upland
 - Wetland

0 150 300
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Heartland
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Figure 7A. Field
Delineated Wetlands
Emerald Park Landfill
Project #20231066
T5N, R20E, S36
C Muskego, Waukesha Co

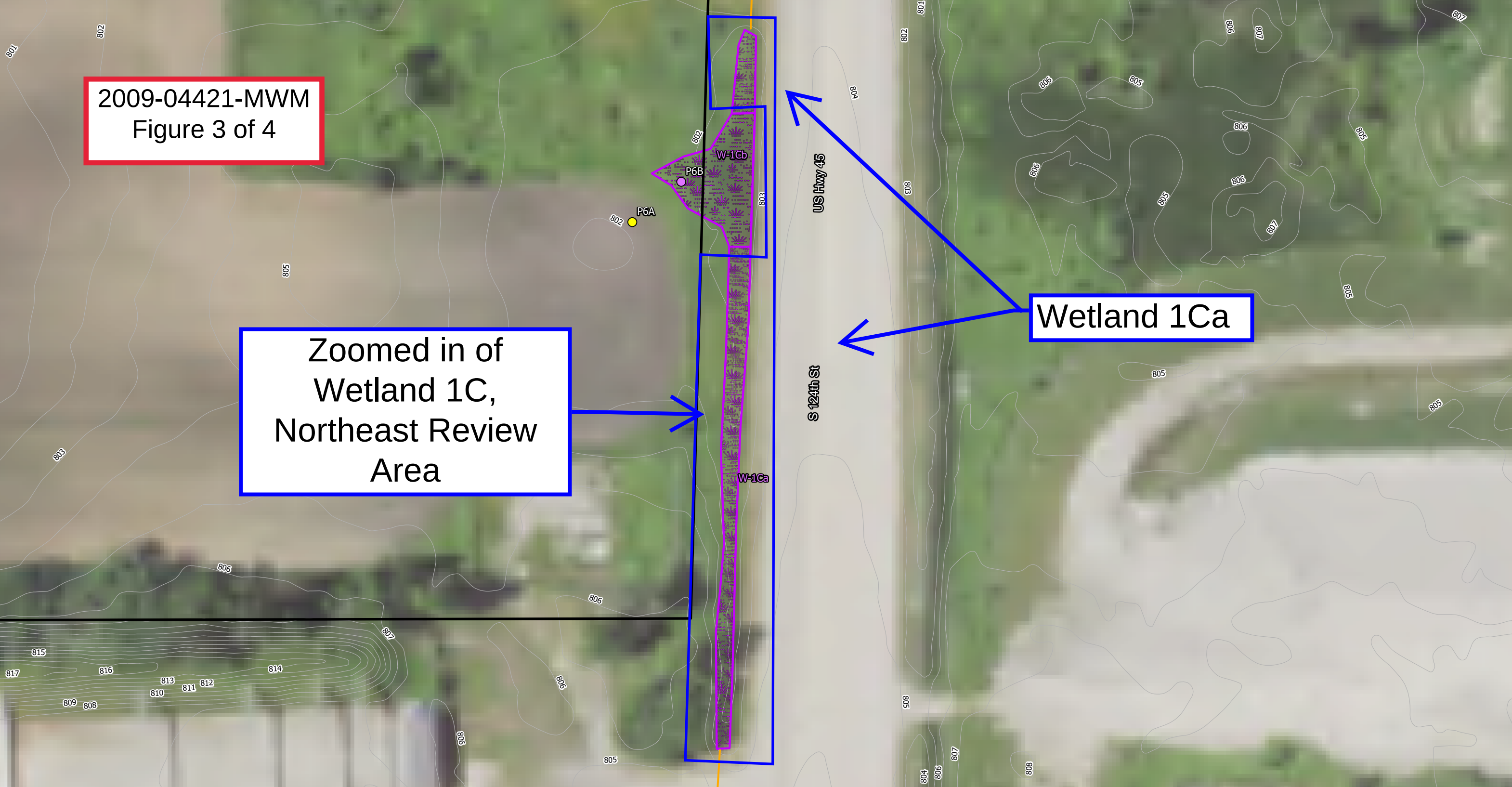
2022 NAIP
Waukesha Co, HEG
LRR: MW

Figure Created: 1/3/2024

2009-04421-MWM
Figure 3 of 4

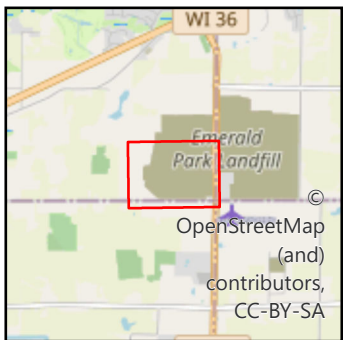
Zoomed in of
Wetland 1C,
Northeast Review
Area

Wetland 1Ca



200-04421-MWM
Figure 4 of 4

Southern
Review
Area



- Study Area (87.08 ac)
- Field Delineated Wetland (34.27 ac)
- Potentially Artificial Wetlands
- Waterbody (2.51 ac)
- Rip-rap
- Culvert
- Waterway
- Waukesha Co 1ft Contours
- Outlet Structure
- Sample Points
 - Upland
 - Wetland

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Heartland
ECOLOGICAL GROUP INC

Potentially Artificial
Wetlands Map
Emerald Park Landfill
Project #20231066
T5N, R20E, S36
C Muskego, Waukesha Co

2022 NAIP
Waukesha Co, HEG

LRR: MW

Figure Created: 9/12/2023