

## Information for File #2012-02086-MHK

**Applicant:** KTR WIS III, LLC

**Corps Contact:** Marie Kopka

**Address:** 20711 Watertown Road, Suite F.  
Waukesha, Wisconsin 53186

**E-Mail:** [Marie.H.Kopka@usace.army.mil](mailto:Marie.H.Kopka@usace.army.mil)

**Phone:** (651) 290-5733

**Primary County:** Kenosha

**Sections:** 19 and 30

**Township:** 2N

**Range:** 22E

**Information Complete On:** August 6, 2013

**Posting Expires On:** September 6, 2013

**Authorization Type:** Section 404 Letter of Permission

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 07-01. We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Our jurisdictional review and final jurisdictional determination could result in modifications to the scope of the project's regulated waterbody/wetland impacts and compensatory mitigation requirements identified above. An approved jurisdictional determination will be made prior to reaching a permit decision, and will be posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/>.

**Project** PROJECT DESCRIPTION AND PURPOSE: KTR WIS III, LLC is applying for a Department of the Army permit to discharge fill material into waters of the United States for the construction of a parking lot in association with the construction of a new commercial development. The proposed project is situated on several parcels totaling over 150 acres in size and is located east of 120<sup>th</sup> Avenue/Frontage Road between County Highway S and County Highway N. The commercial development includes a 1,015,740 square foot large by 53-foot tall fulfillment center, a 550,000 square foot warehouse facility, employee and trailer parking lots, four storm water basins, access roads, and greenway space.

NAME, AREA AND TYPES OF WATERS (INCLUDING WETLANDS) SUBJECT TO LOSS: The proposed project would result in the discharge of fill material and permanent loss of 1.33 acres of a shallow marsh/hardwood swamp complex adjacent to the Kilbourn Road Ditch, a tributary to the Des Plaines River (Wetland H). In addition, permanent impacts to 4.28 acres of isolated/non-jurisdictional wetlands (Wetlands D, E, F, G, L, M, N, and O) are proposed.

**ALTERNATIVES CONSIDERED:**

No action alternative: The “no action” or “no build” alternative was considered but was eliminated because this alternative would not meet the project purpose and need.

Alternative locations: Several locations in the Midwest were considered; four alternative sites were investigated in southern Wisconsin. Some of the reasons for the dismissal of the Wisconsin sites included: size, access to major transportation network, proximity to ample workforce, and utility capacity.

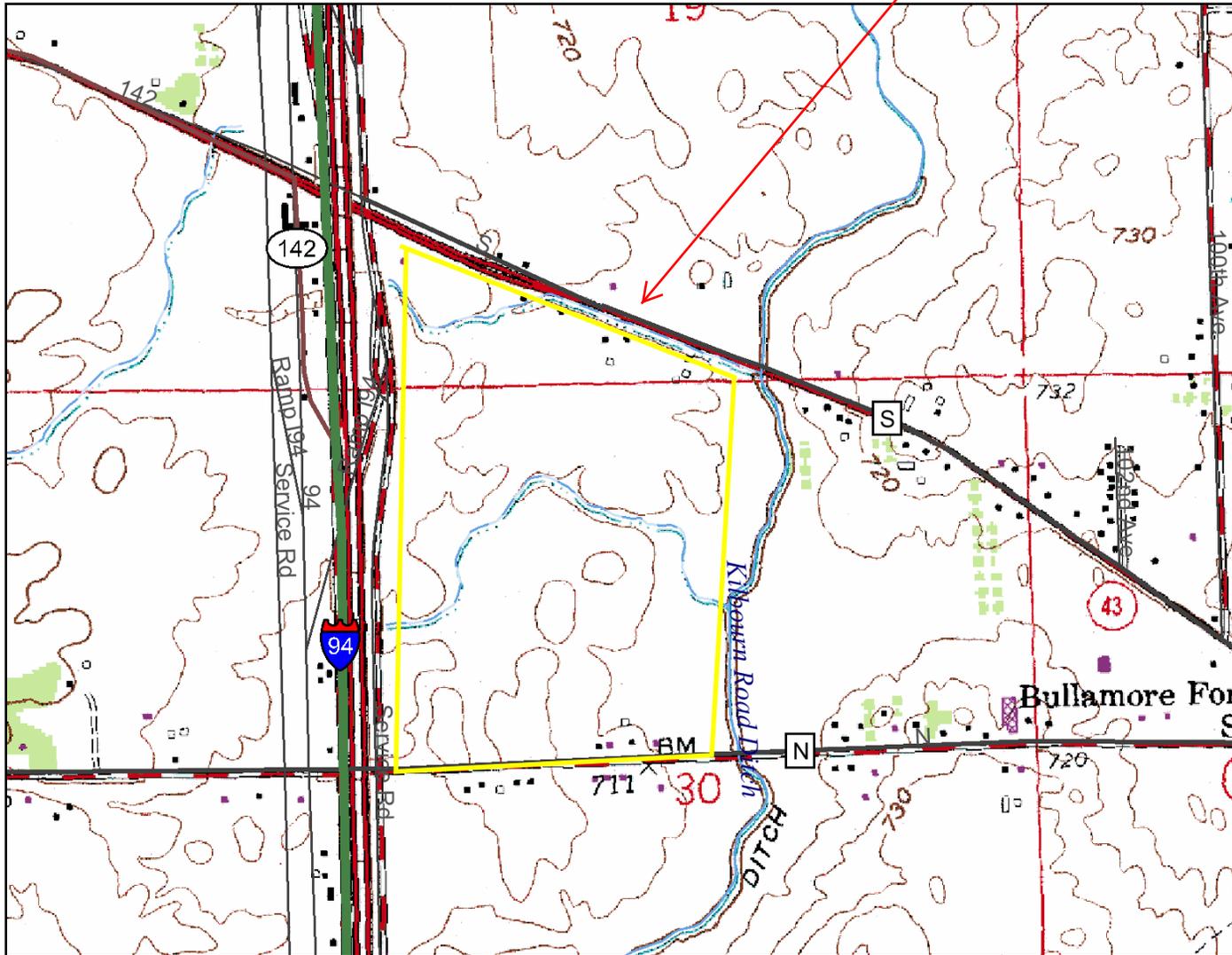
Alternative project designs: Several site modifications have been considered by the applicant including parking structures, subsurface storm water treatment systems, and parking locations. The parking structure alternatives were dismissed due to logistical and financial considerations. The subsurface storm water treatment alternative was dismissed due to financial restraints. And the alternative parking locations were dismissed due to employee safety and logistical reasons.

**COMPENSATORY MITIGATION:** The applicant proposes to fulfill federal compensatory mitigation requirements by purchasing wetland credits from the Tallgrass Conservation – Bass Creek mitigation bank in Rock County, Wisconsin.

Additional information is available upon request.

**Drawings** See attached maps and drawings labeled MVP-2012-02086-MHK, Page 1 of 3 through Page 3 of 3.

Approximate project area



**Legend**

**Major Highways**

- Interstate
- State Highway
- U.S. Highways
- County Roads
- Local Roads
- 24K Open Water
- 24K Rivers and Shorelines
- Intermittent
- Fluctuating
- Perennial

0 1400 2800 4200 ft.

Map created on Jun 13, 2012



Scale: 1:14,049

Wisconsin Wetland Inventory (WVI) maps show graphic representations of the type, size and location of wetlands in Wisconsin. These maps have been prepared from the analysis of high altitude imagery in conjunction with soil surveys, topographic maps, previous wetland inventories and field work. State statutes define a wetland as "an area where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions." The principal focus of the WVI is to produce wetland maps that are graphic representations of the type, size and location of wetlands in Wisconsin. Within this context, the objective of the WVI is to produce reconnaissance level information on the location, type, size of these habitats such that they are accurate at the nominal scale of the 1:24,000 (1 inch = 2000 feet) base map. The DNR recognizes the limitations of using remotely sensed information as the primary data source. They are to be used as a guide for planning purposes. There is no attempt, in either the design or products of this inventory, to define the limits of jurisdiction of any Federal, State, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, State, or local agencies concerning specified agency regulatory programs and jurisdictions that may affect such activities. The most accurate method of determining the legal extent of a wetland for federal or state regulations is a field delineation of the wetland boundary by a professional trained in wetland delineation techniques.

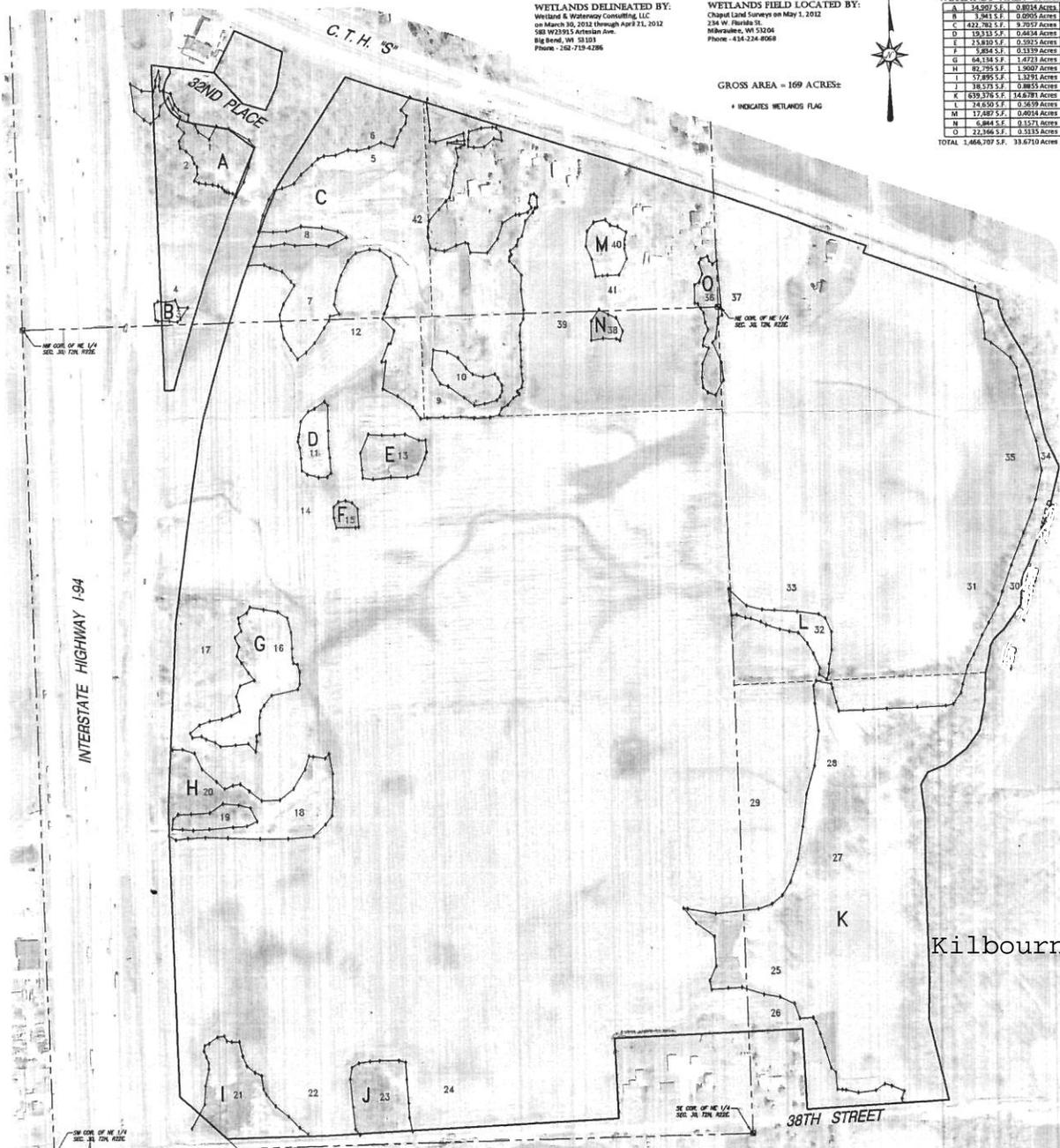
Notes: S19/30 T2N R22E

# WETLANDS EXHIBIT

Part of the Southeast 1/4 of Section 39 and part of the Northwest 1/4 of Section 10, Town 2 North, Range 12 East in the Town of Somers, County of Kenosha, State of Wisconsin.

Section	Block	Lot	Area																
10	10	1	1.23	10	10	1	1.23	10	10	1	1.23	10	10	1	1.23	10	10	1	1.23
10	10	2	1.23	10	10	2	1.23	10	10	2	1.23	10	10	2	1.23	10	10	2	1.23
10	10	3	1.23	10	10	3	1.23	10	10	3	1.23	10	10	3	1.23	10	10	3	1.23
10	10	4	1.23	10	10	4	1.23	10	10	4	1.23	10	10	4	1.23	10	10	4	1.23
10	10	5	1.23	10	10	5	1.23	10	10	5	1.23	10	10	5	1.23	10	10	5	1.23
10	10	6	1.23	10	10	6	1.23	10	10	6	1.23	10	10	6	1.23	10	10	6	1.23
10	10	7	1.23	10	10	7	1.23	10	10	7	1.23	10	10	7	1.23	10	10	7	1.23
10	10	8	1.23	10	10	8	1.23	10	10	8	1.23	10	10	8	1.23	10	10	8	1.23
10	10	9	1.23	10	10	9	1.23	10	10	9	1.23	10	10	9	1.23	10	10	9	1.23
10	10	10	1.23	10	10	10	1.23	10	10	10	1.23	10	10	10	1.23	10	10	10	1.23
10	10	11	1.23	10	10	11	1.23	10	10	11	1.23	10	10	11	1.23	10	10	11	1.23
10	10	12	1.23	10	10	12	1.23	10	10	12	1.23	10	10	12	1.23	10	10	12	1.23
10	10	13	1.23	10	10	13	1.23	10	10	13	1.23	10	10	13	1.23	10	10	13	1.23
10	10	14	1.23	10	10	14	1.23	10	10	14	1.23	10	10	14	1.23	10	10	14	1.23
10	10	15	1.23	10	10	15	1.23	10	10	15	1.23	10	10	15	1.23	10	10	15	1.23
10	10	16	1.23	10	10	16	1.23	10	10	16	1.23	10	10	16	1.23	10	10	16	1.23
10	10	17	1.23	10	10	17	1.23	10	10	17	1.23	10	10	17	1.23	10	10	17	1.23
10	10	18	1.23	10	10	18	1.23	10	10	18	1.23	10	10	18	1.23	10	10	18	1.23
10	10	19	1.23	10	10	19	1.23	10	10	19	1.23	10	10	19	1.23	10	10	19	1.23
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10	10	21	1.23	10	10	21	1.23	10	10	21	1.23	10	10	21	1.23	10	10	21	1.23
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10	10	50	1.23	10	10	50	1.23	10	10	50	1.23	10	10	50	1.23	10	10	50	1.23

CHAPUT LAND SURVEYS



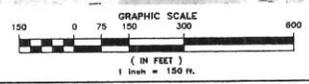
**WETLANDS DELINEATED BY:**  
 Wetland & Waterway Consulting, LLC  
 on March 30, 2012 through April 12, 2012  
 583 W2395 Ardmore Ave.  
 Big Bend, WI 53121  
 Phone: 438-718-0286

**WETLANDS FIELD LOCATED BY:**  
 Chaput Land Surveys on May 1, 2012  
 234 W. Florida St.  
 Milwaukee, WI 53206  
 Phone: 434-234-8068

**WETLANDS AREA TABLE**

Area	Area	Area
A	14,907 S.F.	0.3394 Acres
B	3,341 S.F.	0.0765 Acres
C	4,222 S.F.	0.0957 Acres
D	1,135 S.F.	0.0263 Acres
E	2,810 S.F.	0.0645 Acres
F	524 S.F.	0.0119 Acres
G	64,134 S.F.	1.4723 Acres
H	82,795 S.F.	1.8697 Acres
I	57,895 S.F.	1.3191 Acres
J	38,575 S.F.	0.8855 Acres
K	839,376 S.F.	19.0781 Acres
L	24,503 S.F.	0.5619 Acres
M	17,487 S.F.	0.4014 Acres
N	6,484 S.F.	0.1471 Acres
O	22,346 S.F.	0.5135 Acres
<b>TOTAL</b>	<b>1,466,787 S.F.</b>	<b>33.6710 Acres</b>

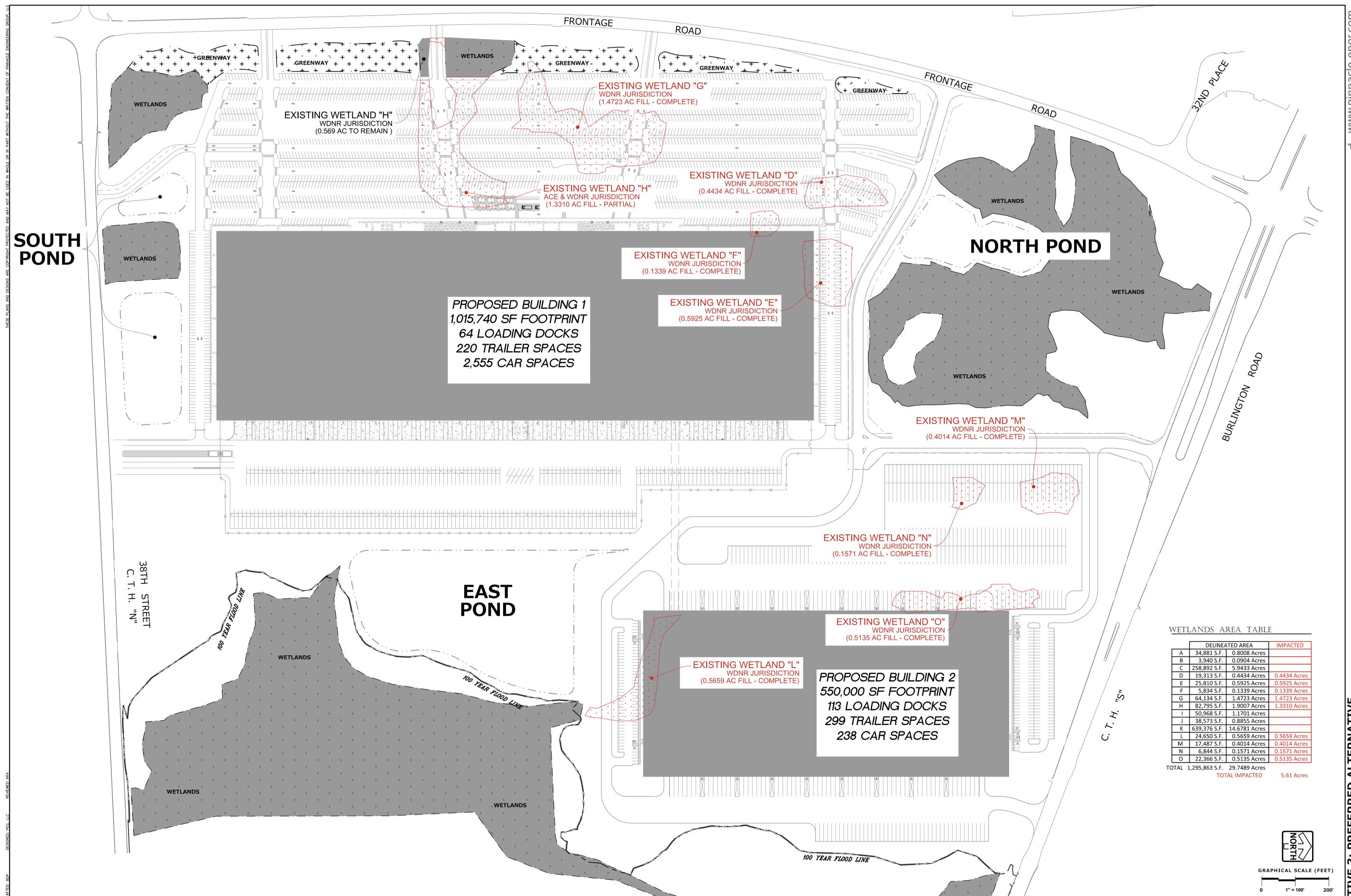
GROSS AREA = 169 ACRES  
 \* INDICATES WETLAND FLAG



PLAN | DESIGN | DELIVER

**PINNACLE ENGINEERING GROUP**

CONSULTING ENGINEERS  
 ARCHITECTS  
 ENVIRONMENTAL SCIENTISTS  
 SURVEYORS



**SOUTH POND**

**NORTH POND**

**EAST POND**

38TH STREET  
C.T.H. "N"

FRONTAGE ROAD

FRONTAGE ROAD

32ND PLACE

BURLINGTON ROAD

C.T.H. "S"

100 YEAR FLOOD LINE

100 YEAR FLOOD LINE

100 YEAR FLOOD LINE

EXISTING WETLAND "H"  
WDNR JURISDICTION  
(0.569 AC TO REMAIN)

EXISTING WETLAND "G"  
WDNR JURISDICTION  
(1.4723 AC FILL - COMPLETE)

EXISTING WETLAND "D"  
WDNR JURISDICTION  
(0.4434 AC FILL - COMPLETE)

EXISTING WETLAND "H"  
ACE & WDNR JURISDICTION  
(1.3310 AC FILL - PARTIAL)

EXISTING WETLAND "F"  
WDNR JURISDICTION  
(0.1339 AC FILL - COMPLETE)

EXISTING WETLAND "E"  
WDNR JURISDICTION  
(0.5925 AC FILL - COMPLETE)

EXISTING WETLAND "M"  
WDNR JURISDICTION  
(0.4014 AC FILL - COMPLETE)

EXISTING WETLAND "N"  
WDNR JURISDICTION  
(0.1571 AC FILL - COMPLETE)

EXISTING WETLAND "O"  
WDNR JURISDICTION  
(0.5135 AC FILL - COMPLETE)

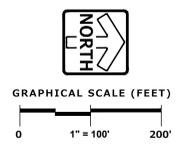
EXISTING WETLAND "L"  
WDNR JURISDICTION  
(0.5659 AC FILL - COMPLETE)

**PROPOSED BUILDING 1**  
1,015,740 SF FOOTPRINT  
64 LOADING DOCKS  
220 TRAILER SPACES  
2,555 CAR SPACES

**PROPOSED BUILDING 2**  
550,000 SF FOOTPRINT  
113 LOADING DOCKS  
299 TRAILER SPACES  
238 CAR SPACES

**WETLANDS AREA TABLE**

	DELINEATED AREA	IMPACTED
A	34,881 S.F. 0.8008 Acres	
B	3,940 S.F. 0.0904 Acres	
C	258,892 S.F. 5.9433 Acres	
D	19,313 S.F. 0.4434 Acres	0.4434 Acres
E	25,810 S.F. 0.5925 Acres	0.5925 Acres
F	5,834 S.F. 0.1339 Acres	0.1339 Acres
G	64,134 S.F. 1.4723 Acres	1.4723 Acres
H	82,795 S.F. 1.9007 Acres	1.3310 Acres
I	50,968 S.F. 1.1701 Acres	
J	38,573 S.F. 0.8855 Acres	
K	639,376 S.F. 14.6781 Acres	
L	24,650 S.F. 0.5659 Acres	0.5659 Acres
M	17,487 S.F. 0.4014 Acres	0.4014 Acres
N	6,844 S.F. 0.1571 Acres	0.1571 Acres
O	22,366 S.F. 0.5135 Acres	0.5135 Acres
<b>TOTAL</b>	<b>1,295,863 S.F. 29.7489 Acres</b>	<b>5.61 Acres</b>



DESIGNED: PEG, LLC  
REVIEWED: ARA  
BRATEL, BIP

PLAN | DESIGN | DELIVER  
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**PINNACLE ENGINEERING GROUP**  
ENGINEERING | NATURAL RESOURCES | SURVEYING

WISCONSIN OFFICE:  
11850 W. BLUE MOUND ROAD  
BROOKFIELD, WI 53005  
(262) 754-8888  
CHICAGO | MILWAUKEE | NATIONWIDE

**PROJECT ONYX**  
KENOSHA, WI

**ALTERNATIVE 3: PREFERRED ALTERNATIVE**

REVISIONS


REG. JOB No. 150.000  
AREA  
SCALE 1"=100'  
SHEET 1