

## Information for File #2013-03086-MHK

**Applicant:** MFallsSSE, LLC

**Corps Contact:** Marie Kopka

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

**E-Mail:** Marie.H.Kopka@usace.army.mil

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

**Primary County:** Waukesha

**Section:** 30

**Township:** 8N

**Range:** 20E

**Information Complete On:** April 24, 2014

**Posting Expires On:** May 23, 2014

**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.

**Project:** The 1% Annual Chance Flood is mapped within the project area. The proposed road crossings are required to adhere to the Village of Menomonee Falls' stormwater ordinances.

**PROJECT DESCRIPTION AND PURPOSE:** MFallsSSE, LLC is applying for a Department of the Army permit to discharge dredged and fill material into waters of the United States for the construction of two road crossings and the installation of utility lines in association with a new residential development. The proposed 137-unit single family residential subdivision, known as Silver Springs Estates, is situated on several parcels

totaling over 100 acres in size and is located southeast of the intersection between Mill Road and Townline Road in the Village of Menomonee Falls. In addition to the access road construction and utility installation, the residential development would include the construction of five storm water basins.

**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 0.39 acre of floodplain forest adjacent to an unnamed tributary to the Fox River, for the construction of two access road crossings and the installation of utility lines. In addition, 0.16 acre of floodplain forest wetlands would be impacted by excavation and grading for the installation of culverts; however, the proposed removal of green ash (*Fraxinus pennsylvanica*) and ash-leaf maple (*Acer negundo*) trees in this area would be replaced by black willow trees (*Salix nigra*).

A total of 153 square feet of the unnamed tributary would be impacted by excavation and backfill for the installation of the utility lines. The temporary installation of cofferdams and sandbags in the tributary is also proposed.

**ALTERNATIVES CONSIDERED:** The Village of Menomonee Falls requires two ingress/egress points to this development. There are two existing crossings over the unnamed tributary to the Fox River, but the crossings do not meet the Village's codes and ordinances.

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 for road crossings: The location of the access roads are constrained by the existing railroad line to the north, a golf course to the east, minimum distance requirements from the intersection between State Highway 74 and Town Line Road, and local restrictions from extending primary access from the subdivision to the south. A Village ordinance also required that the southern access road align with the future road on the west side of Townline Road. Two locations for the northern road crossing were considered but were dismissed because of a larger wetland impacts than the preferred alternative. One additional location was considered for the southern road crossing but was also dismissed due to larger amounts of wetland impacts.

Alternative project designs: The applicant has stated that the construction of single span bridges to cross the wetlands was considered but dismissed due to cost. The applicant also stated that the use of retaining walls to minimize wetland impacts was also dismissed due to cost.

Minimization: The applicant has stated that the access road cross section has been minimized from the typical 32-foot pavement cross section to 28'. Where the road would abut wetlands, the pavement width would be reduced by placing the sidewalk directly adjacent to the back of curb. In order to minimize wetland impacts, side slopes were also reduced from 4:1 to 3:1 which the applicant states is the steepest allowable by the Village.

COMPENSATORY MITIGATION: The applicant proposes to fulfill federal compensatory mitigation requirements by purchasing wetland credits from the Northland (Legacy Bogs) mitigation bank in Wood County, Wisconsin.

Additional information is available upon request.

**Drawings** See attached maps and drawings labeled MVP-2013-03086-MHK, Page 1 of 11 through Page 11 of 11.

Silver Spring Estates



Legend

- Major Highways
  - Interstate
  - State Highway
  - U.S. Highways
  - County Roads
  - Local Roads
- DNR Wetland Points
  - Excavated Pond
  - Dammed Pond
  - Wetland Too Small to Delineate
  - Filled Excavated Pond
  - Filled Dammed Pond
  - Filled Wetland Too Small to Delineate
  - Filled or Drained Wetland
- DNR Wetland Areas
  - Upland
  - Wetland
  - Filled or Drained Wetland
  - 24K Open Water
  - 24K Rivers and Shorelines
  - Intermittent
  - Fluctuating
  - Perennial

0 1150 2300 3450 ft.



Scale: 1:11,959

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Project Area



NOTE  
 OPTION 1 IS SHOWN ON THIS DRAWING  
 FOR BOTH 'A' AND 'B' STREETS. OPTION 1  
 IS THE PRELIMINARY ALIGNMENT  
 APPROVED BY THE VILLAGE OF  
 MENOMONEE FALLS DURING THE  
 PRELIMINARY PLAT REVIEW.

- LEGEND
- EXISTING WETLANDS AS DEFINED BY WETLAND AND WATERWAYS DELINEATION DATED AUGUST 8, 2013
  - FLOODPLAIN BOUNDARY

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OVERALL PLAN

**SILVER SPRINGS ESTATES**

VILLAGE OF MENOMONEE FALLS, WISCONSIN COUNTY, WISCONSIN



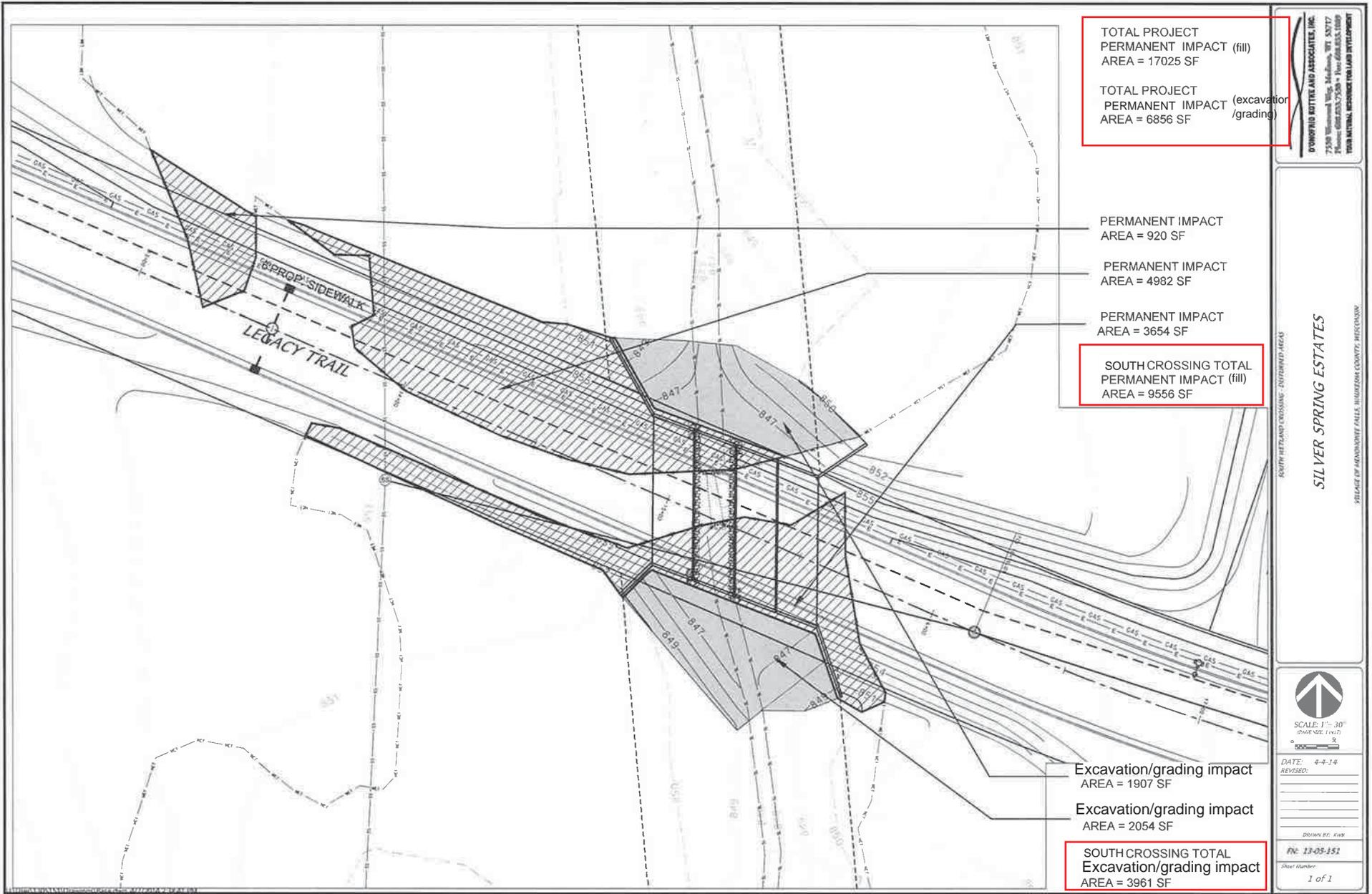
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TOTAL PROJECT  
PERMANENT IMPACT (fill)  
AREA = 17025 SF

TOTAL PROJECT  
PERMANENT IMPACT (excavation  
/grading)  
AREA = 6856 SF

PERMANENT IMPACT  
AREA = 920 SF

PERMANENT IMPACT  
AREA = 4982 SF

PERMANENT IMPACT  
AREA = 3654 SF

SOUTH CROSSING TOTAL  
PERMANENT IMPACT (fill)  
AREA = 9556 SF

Excavation/grading impact  
AREA = 1907 SF

Excavation/grading impact  
AREA = 2054 SF

SOUTH CROSSING TOTAL  
Excavation/grading impact  
AREA = 3961 SF

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SOUTH HETLAND CROSSING - INTERIM AREA

SILVER SPRING ESTATES

SUBJECT OF ADJACENT PLOTS, HILLSBORO COUNTY, WISCONSIN



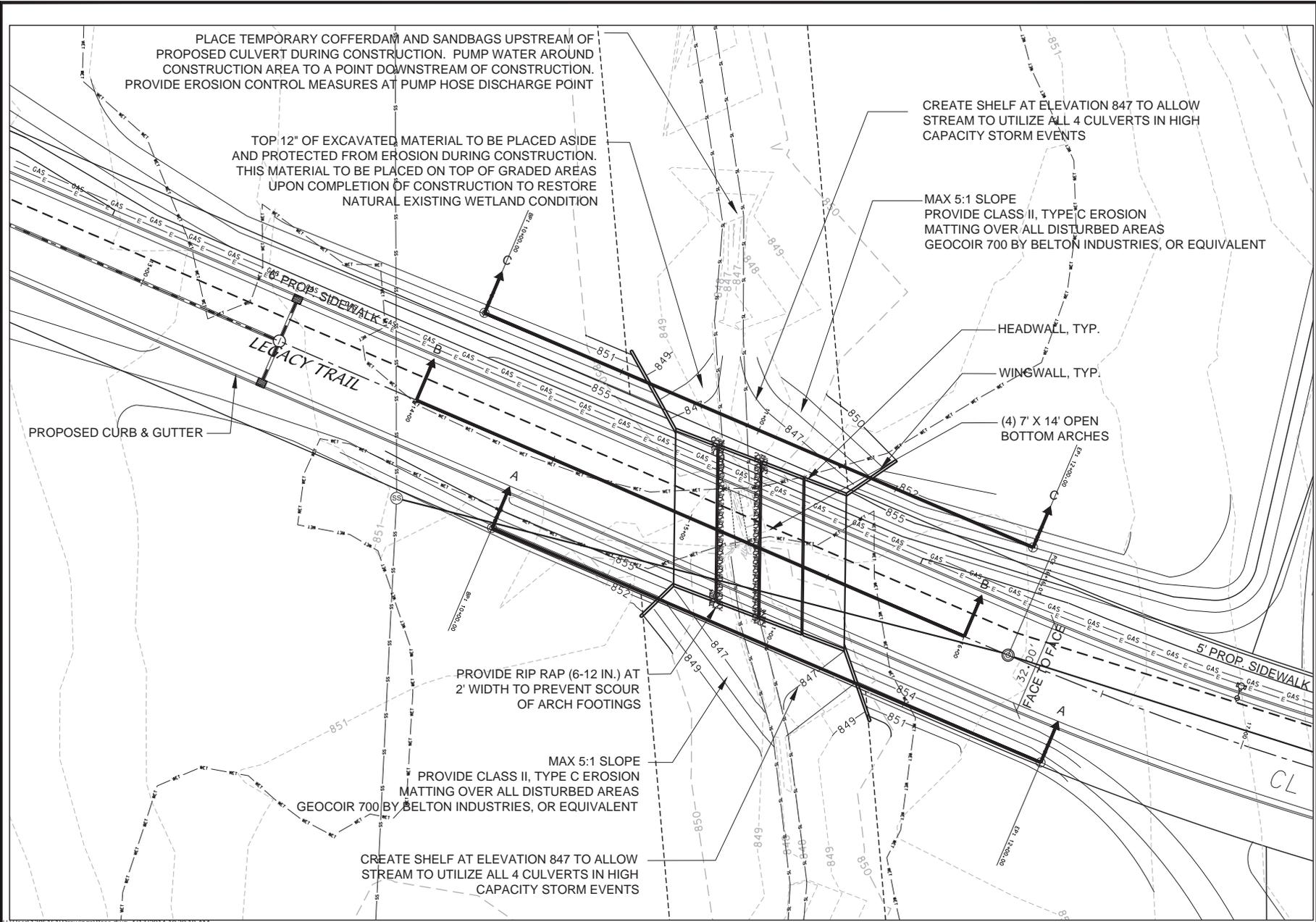
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1 of 1



PLACE TEMPORARY COFFERDAM AND SANDBAGS UPSTREAM OF PROPOSED CULVERT DURING CONSTRUCTION. PUMP WATER AROUND CONSTRUCTION AREA TO A POINT DOWNSTREAM OF CONSTRUCTION. PROVIDE EROSION CONTROL MEASURES AT PUMP HOSE DISCHARGE POINT

TOP 12" OF EXCAVATED MATERIAL TO BE PLACED ASIDE AND PROTECTED FROM EROSION DURING CONSTRUCTION. THIS MATERIAL TO BE PLACED ON TOP OF GRADED AREAS UPON COMPLETION OF CONSTRUCTION TO RESTORE NATURAL EXISTING WETLAND CONDITION

CREATE SHELF AT ELEVATION 847 TO ALLOW STREAM TO UTILIZE ALL 4 CULVERTS IN HIGH CAPACITY STORM EVENTS

MAX 5:1 SLOPE  
PROVIDE CLASS II, TYPE C EROSION MATTING OVER ALL DISTURBED AREAS  
GEOCOIR 700 BY BELTON INDUSTRIES, OR EQUIVALENT

HEADWALL, TYP.

WINGWALL, TYP.

(4) 7' X 14' OPEN BOTTOM ARCHES

PROPOSED CURB & GUTTER

PROPOSED SIDEWALK  
LEGACY TRAIL

PROVIDE RIP RAP (6-12 IN.) AT 2' WIDTH TO PREVENT SCOUR OF ARCH FOOTINGS

MAX 5:1 SLOPE  
PROVIDE CLASS II, TYPE C EROSION MATTING OVER ALL DISTURBED AREAS  
GEOCOIR 700 BY BELTON INDUSTRIES, OR EQUIVALENT

CREATE SHELF AT ELEVATION 847 TO ALLOW STREAM TO UTILIZE ALL 4 CULVERTS IN HIGH CAPACITY STORM EVENTS



SOUTH WETLAND CROSSING

**SILVER SPRING ESTATES**

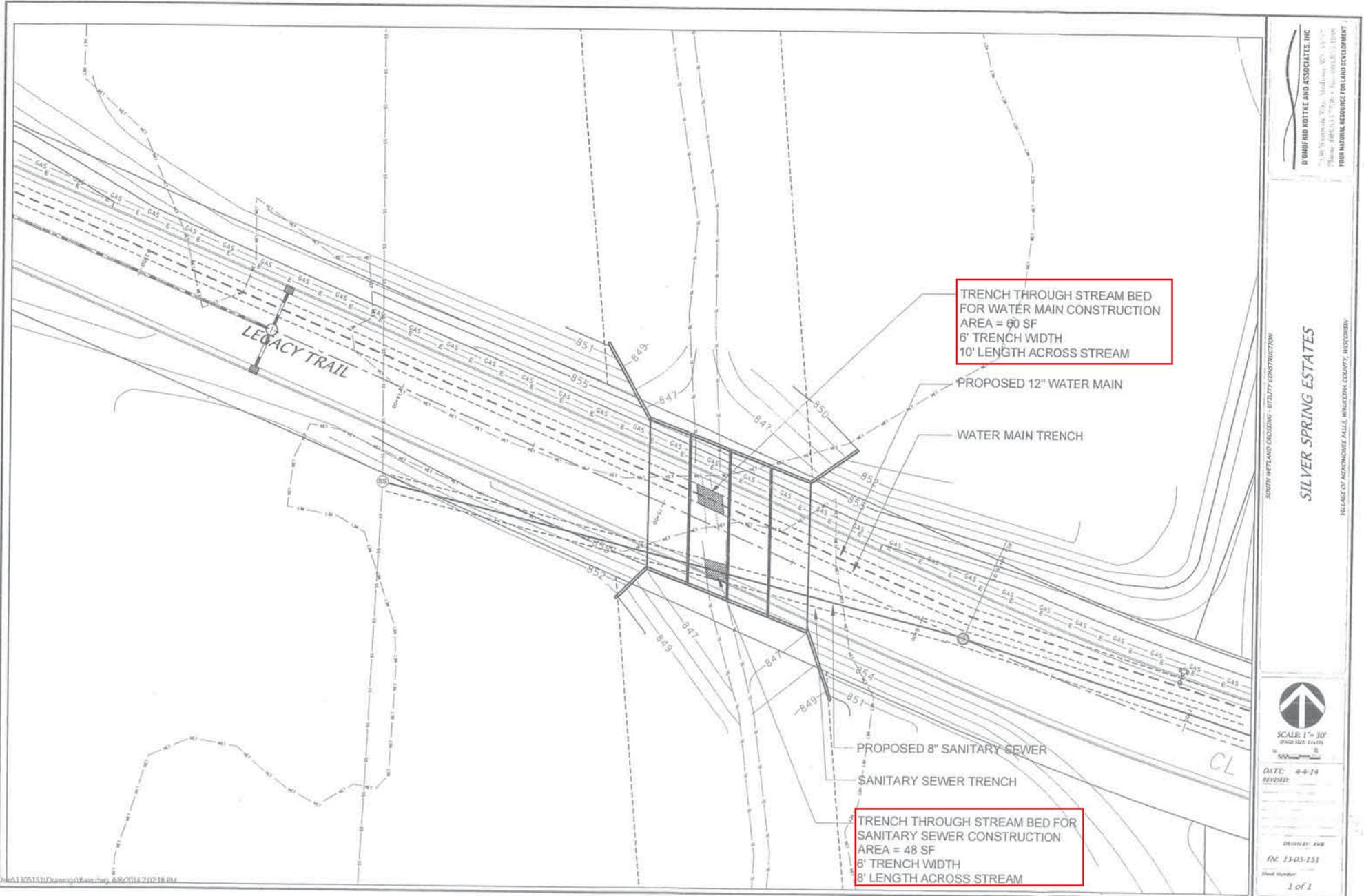
VILLAGE OF MEMMONIE FALLS, WAUKESHA COUNTY, WISCONSIN

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**SILVER SPRING ESTATES**

SOUTH INTPLAND CROSSING - UTILITY CONSTRUCTION

UNINCORPORATED TOWNSHIP, MILWAUKEE COUNTY, WISCONSIN



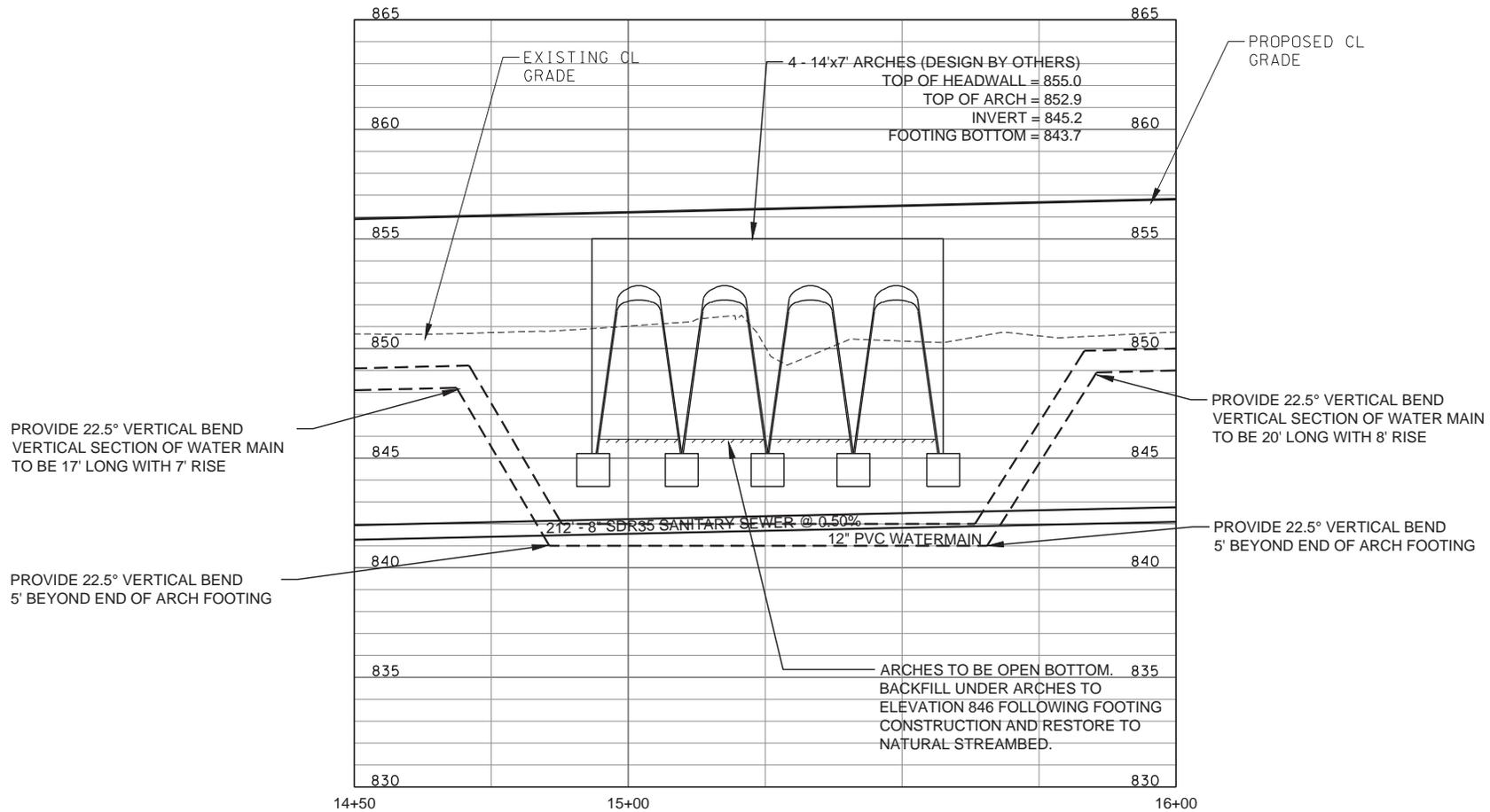
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### SECTION B-B



SOUTH WETLAND CROSSING

**SILVER SPRING ESTATES**

VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN



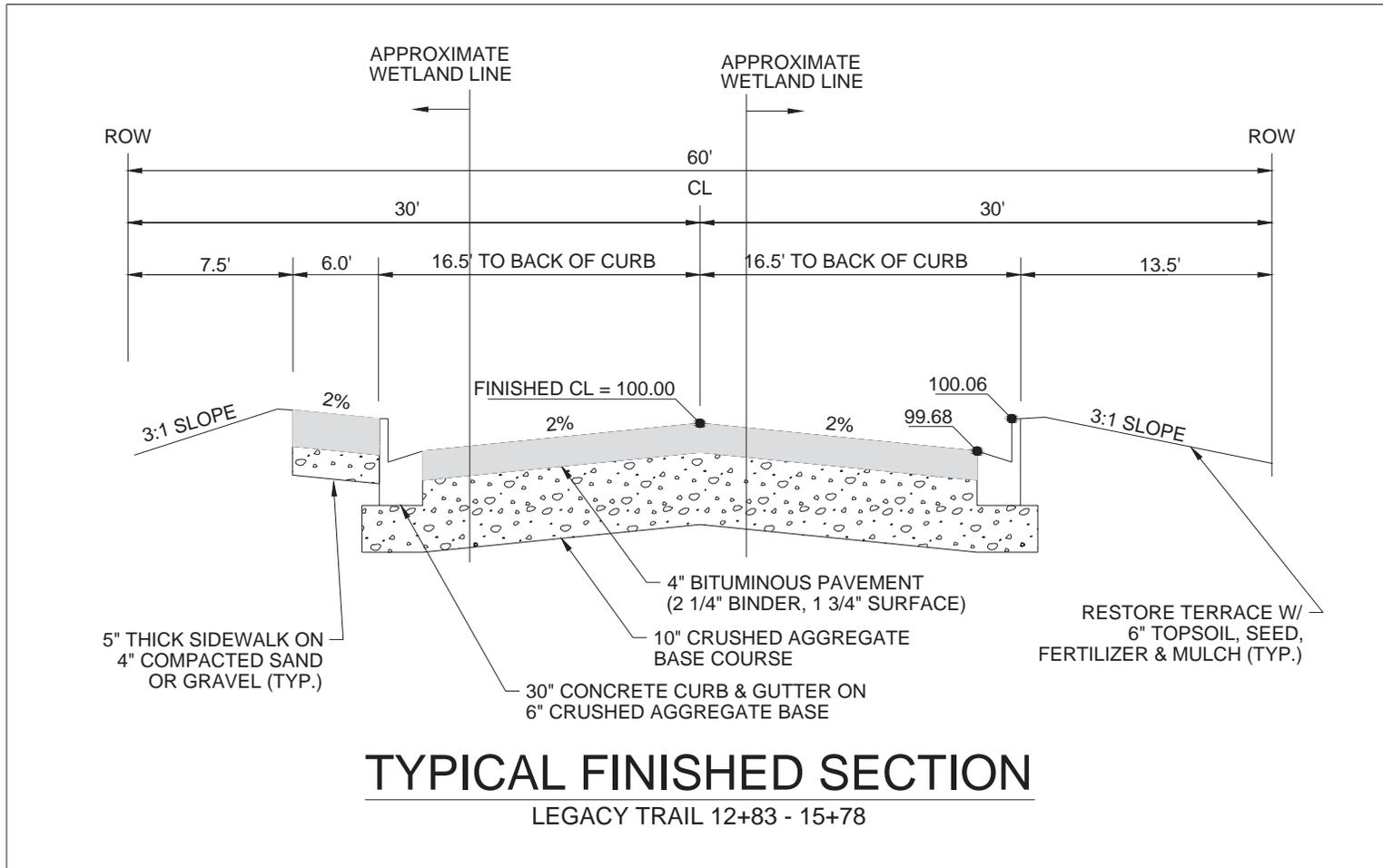
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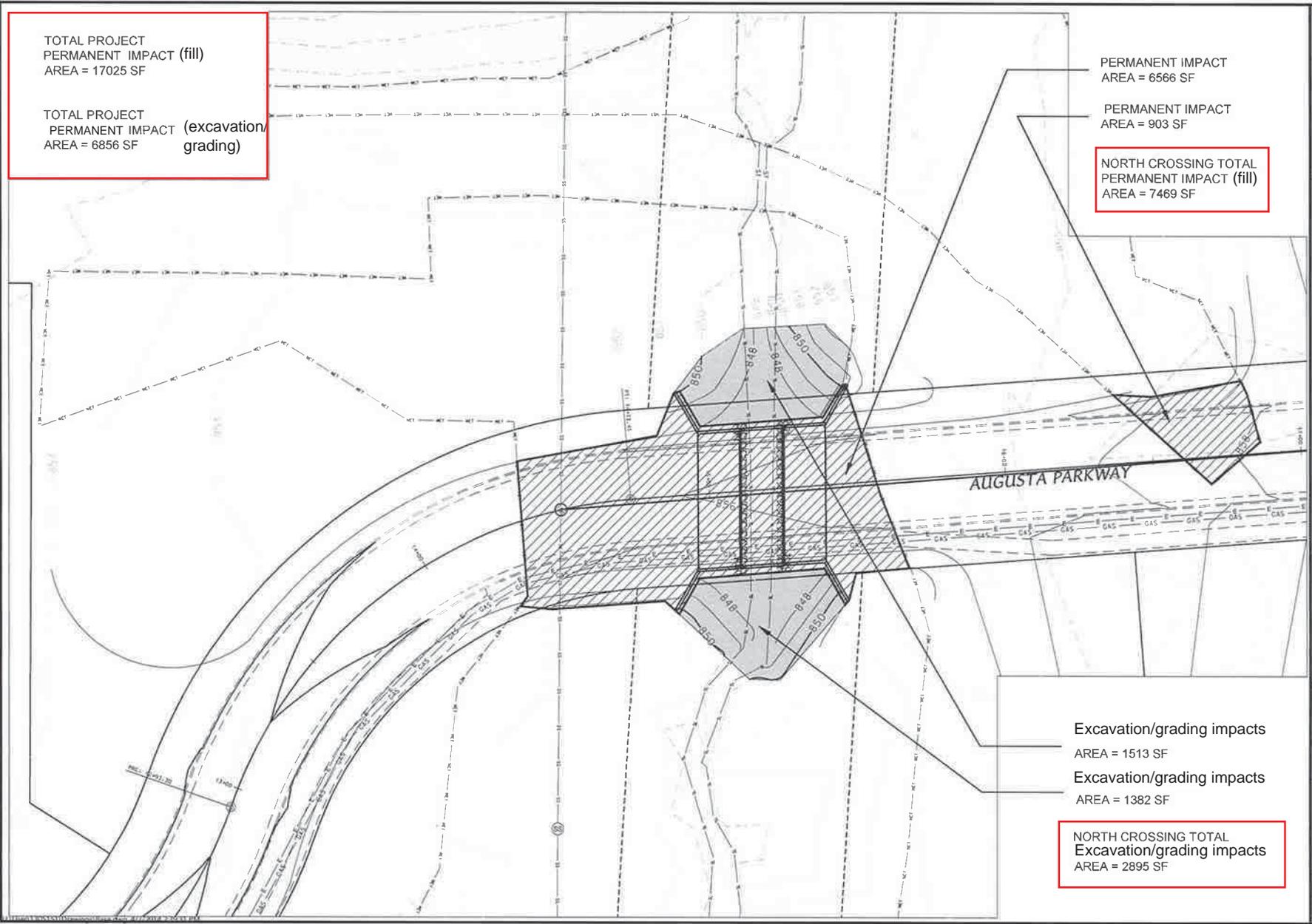
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TOTAL PROJECT  
PERMANENT IMPACT (fill)  
AREA = 17025 SF

TOTAL PROJECT  
PERMANENT IMPACT (excavation/  
grading)  
AREA = 6856 SF

PERMANENT IMPACT  
AREA = 6566 SF

PERMANENT IMPACT  
AREA = 903 SF

NORTH CROSSING TOTAL  
PERMANENT IMPACT (fill)  
AREA = 7469 SF

Excavation/grading impacts  
AREA = 1513 SF

Excavation/grading impacts  
AREA = 1382 SF

NORTH CROSSING TOTAL  
Excavation/grading impacts  
AREA = 2895 SF

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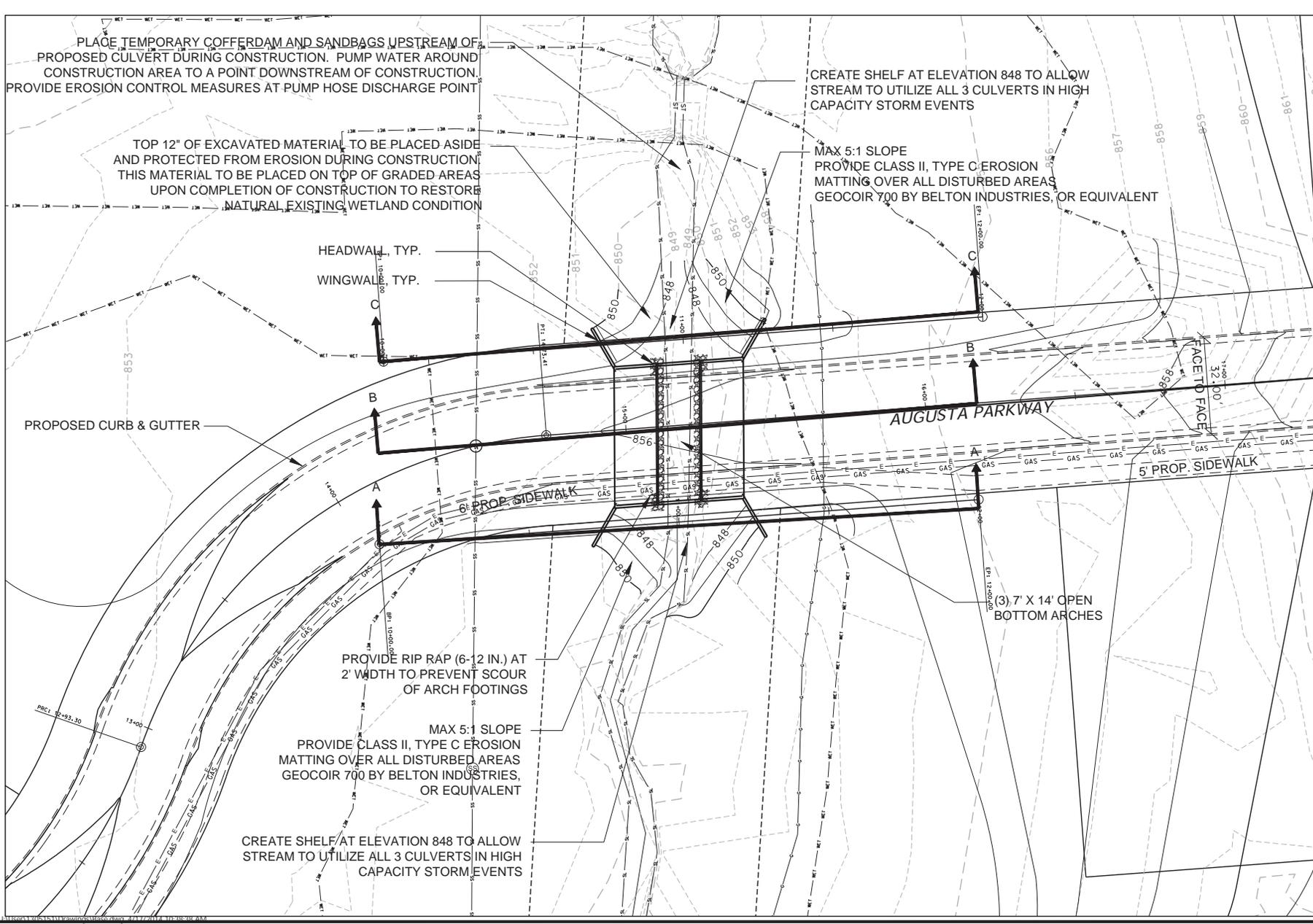
ASTON HETLAND CROSSING - ADJUTMENT AREA  
**SILVER SPRING ESTATES**  
STATE OF GEORGIA - FULTON COUNTY

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SILVER SPRING ESTATES

VILLAGE OF MENOMONEE FALLS, WISCONSIN COUNTY, WISCONSIN

NORTH WETLAND CROSSING

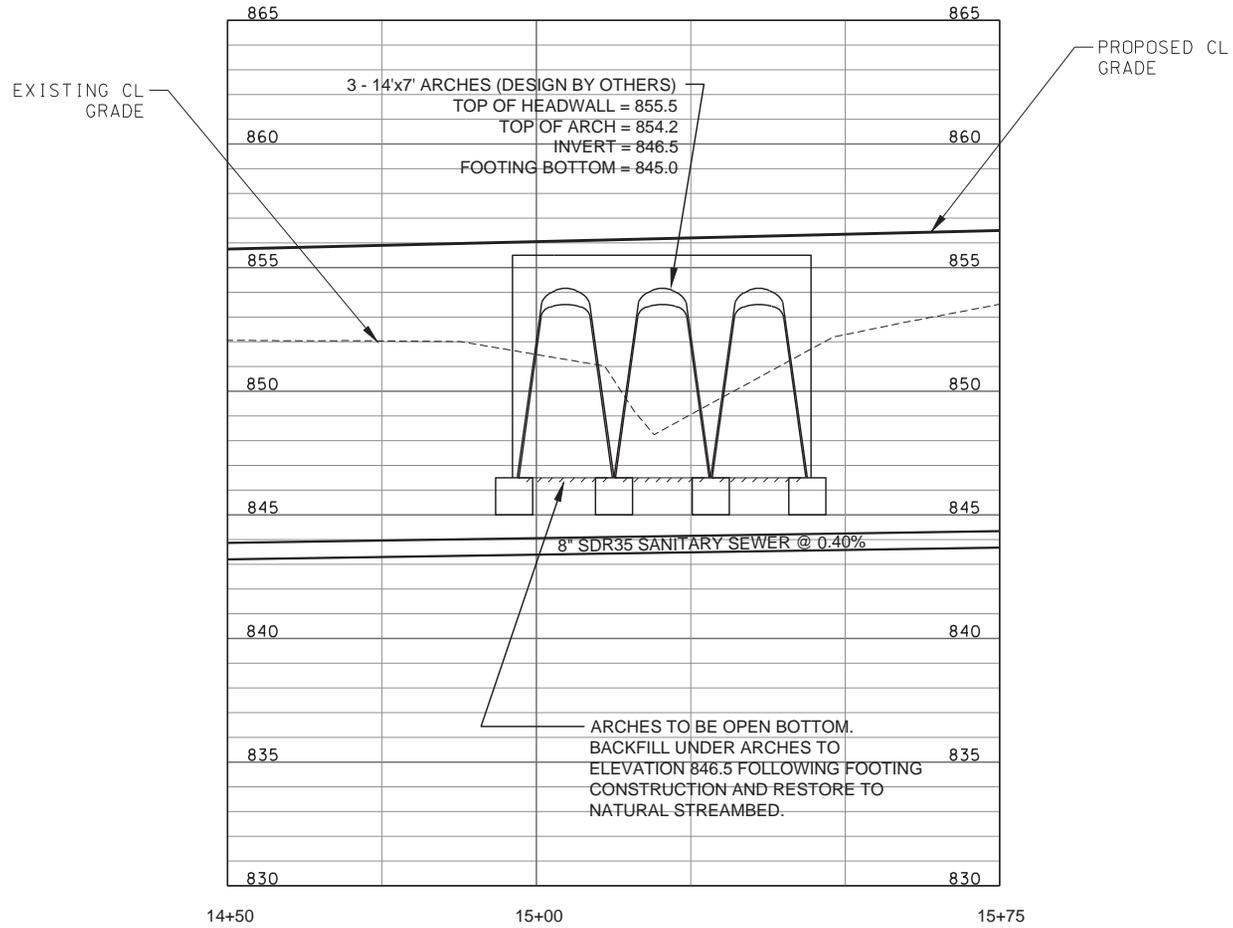
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### SECTION B-B



NORTH WETLAND CROSSING  
**SILVER SPRING ESTATES**  
 VILLAGE OF MEMMONEE FALLS, WAUKESHA COUNTY, WISCONSIN



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