

Information for File #2015-00524-MHK

Applicant: City of Oak Creek

Corps Contact: Marie Kopka

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Primary County: Milwaukee

Section: 7

Township: 5N

Range: 22E

Information Complete On: August 8, 2016

Posting Expires On: September 16, 2016

Authorization Type: LOP-06-WI

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.

We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are subject to Corps of Engineers jurisdiction under Section(s) 9 & 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. If an approved jurisdictional determination is completed as part of the review process for this application, a copy will be posted on the St. Paul District web page at the following link:
<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>.

Project

PROJECT DESCRIPTION AND PURPOSE: The applicant is applying for a Department of the Army permit to discharge fill material into waters of the U.S. for the installation of utilities and the extension of S. 20th Street between W. Drexel Avenue and S. 27th Street for the purpose of municipal development. This permit application is for Phase 2 and 3 (note: Phase 1 is currently under construction and was previously authorized in August 2015). The roadway improvements include lanes for vehicular traffic, medians, bicycle lanes, sidewalk, public utilities, street lighting, accommodations for on-road parking in some areas, left turning bays, and public bus stops. The project is designed to provide an additional point of emergency access to an elementary school (part of Phase 1), to provide access to a proposed commercial development and Milwaukee County's Falk Park, to provide utility extension in the public right-of-way, and to improve traffic circulation and accommodate the development of private lands. Note: the commercial development itself is not part of this application and is proposed as a separate project which was posted at the following webpage:
<http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/WI-LOP/2016001363L.pdf?ver=2016-07-06-153547-270>.

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 0.42 acre of wetlands adjacent to an unnamed tributary to Oak Creek (Wetland 1 – 0.19 acre; Wetland 3 – 0.04 acre; Wetland 10 – 0.19 acre). A total of 0.40 acre of fresh wet meadow dominated by reed canary grass, tall goldenrod, limestone meadow sedge and white avens and 0.02 acre of hardwood swamp dominated by Eastern cottonwood and box elder would be impacted. In addition, fill material would be discharged within 18 square feet of the waterway due to the installation of a corrugated metal culvert (note: the bottom of the culvert would be partially buried) and utility installation below the road surface.

FEDERAL THREATENED & ENDANGERED SPECIES: According to the U.S. Fish and Wildlife Service (USFWS) Midwest Region website, the Northern long-eared bat (threatened) and Rufa red knot (threatened) are found in Milwaukee County. The Corps will coordinate any potential effects to the species listed above and their critical habitat with the USFWS.

ALTERNATIVES CONSIDERED: The no-build alternative would avoid impacts to aquatic resources but was not considered by the applicant because it failed to address the purpose of the project. The extension of the roadway is limited by the location of the previously planned terminus of Phase 1 and private land ownership, and the intersection with S. 27th Street is dictated by the Wisconsin Department of Transportation because of an existing intersection entrance. No additional wetland impacts outside the roadway construction would be disturbed for the sanitary sewer and water main utility construction.

Two roadway designs were evaluated. The first alternative is a commercial urban cross section per the City's design standards which would include a 130-foot right-of-way with a divided 4-lane roadway and would result in more wetland impacts than the preferred alternative. The preferred alternative is a modified cross section with a 2-lane roadway, bicycle accommodations on both sides of the roadway, terrace, sidewalk, and the use of retaining walls near wetlands.

The applicant states that wetland impacts would be minimized by reducing road widths, removing the median feature near wetlands, minimizing side slopes from 4:1 to 3:1, and constructing a retaining wall in two locations on the west side of the roadway. Erosion control and storm water management would be conducted with Best Management Practices and wetland areas would be protected by silt fence.

COMPENSATORY MITIGATION: The applicant proposes to fulfill federal compensatory mitigation requirements by debiting credits from a federally approved mitigation bank if available or by purchasing advanced credits from the Wisconsin Wetland Conservation Trust (In-Lieu Fee) program contingent upon Corps approval.

Additional information is available upon request.

Drawings See attached exhibits labeled, MVP-2015-00524-MHK, Pages 1 through 7.



Location map



1: 15,840



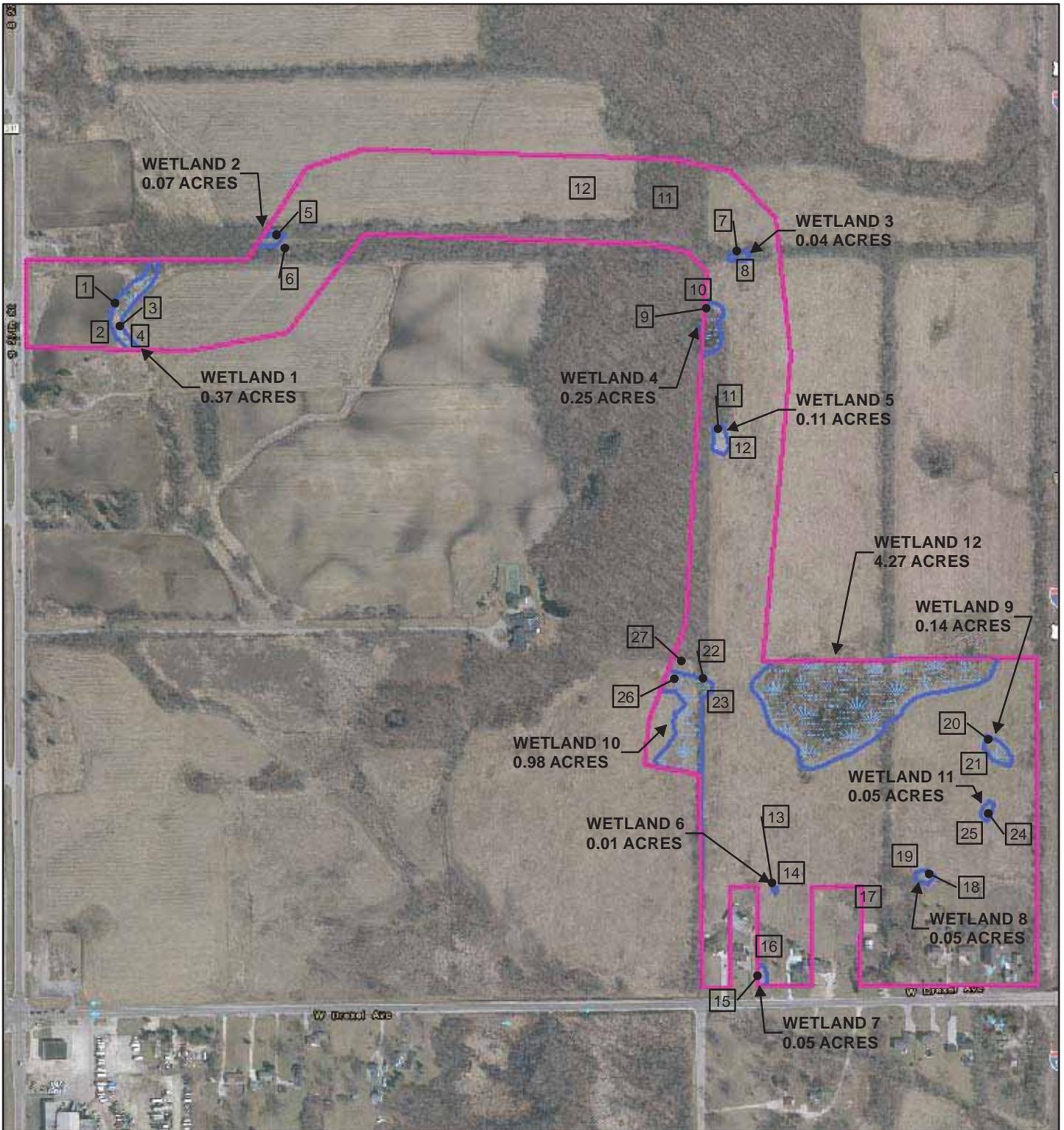
Legend

- Municipality
- State Boundaries
- County Boundaries
- Major Roads
 - Interstate Highway
 - State Highway
 - US Highway
- County and Local Roads
 - County HWY
 - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water

Notes

DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/legal/>

0.5 0 0.25 0.5 Miles



Scale:



Project Number: 15-0253

Orientation:



Date: 6/30/2016

Legend:

 Data Point

 Surveyed Wetland Boundary

 Project Boundary

Project Name:

Project Badger

Prepared for:

Northwestern Mutual

Aerial Date:

2010

Exhibit Title:

Wetland Boundary

Exhibit:

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