

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): December 18, 2015

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER: Village of Sturtevant 1609 West Road Pond, 2015-04001-MHK (Stormwater Pond 3)

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: **Wisconsin** County/parish/borough: **Racine** City: **Sturtevant**

Center coordinates of site (lat/long in degree decimal format): Lat. **42.7149° N**, Long. **-87.91413° W**.

Universal Transverse Mercator: **16**

Name of nearest waterbody: **Hoods Creek**

Name of watershed or Hydrologic Unit Code (HUC): **Great Lakes Region (04040002)**

Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: **December 16, 2015**

Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are no "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are no "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs: N/A

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY): N/A

C. SIGNIFICANT NEXUS DETERMINATION: N/A

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY): N/A

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY): N/A

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers

Other: (explain, if not covered above): **Stormwater Pond 3 is approximately 3.22 acre in size. This aquatic resource was constructed to meet the requirements of Section 402 CWA.**

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: **Crispell-Snyder, Inc "The Renaissance" grading and stormwater plans dated 6-29-95**

Data sheets prepared/submitted by or on behalf of the applicant/consultant.

Office concurs with data sheets/delineation report.

Office does not concur with data sheets/delineation report.

Data sheets prepared by the Corps:

Corps navigable waters' study:

U.S. Geological Survey Hydrologic Atlas:

- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24K Quad WI-Sturtevant
- USDA Natural Resources Conservation Service Soil Survey. Citation: Racine County
- National wetlands inventory map(s). Cite name:
- State/Local wetland inventory map(s): Wisconsin Wetland Inventory
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): 1963, 1970, 1975, 1980, 1990 SEWRPC
or Other (Name & Date):
- Previous determination(s). File no. and date of response letter:
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: The review area consists of Stormwater (SW) Pond 3 which was constructed to meet the requirements of Section 402 of the Clean Water Act. Under 33 CFR 328(a)(8), waste treatment systems including treatment ponds designed to meet the requirements of CWA are not waters of the U.S. Plans submitted by Applied Technologies and a review of historic aerial photos indicate the pond was constructed between 1995 and 2000. The SEWRPC aerial photos show row crops with no significant wet signatures on the soil surface to indicate wetland conditions. In addition, the erosion control and grading plans that were submitted with the jurisdiction determination request illustrates that this aquatic resource was constructed for storm water drainage and retention purposes. Therefore, SW Pond 3 is not jurisdictional under Section 404 of the CWA.



Surface Water Data Viewer Map



Legend

- Rivers and Streams
- Open Water

Review Area

1: 3,024



NAD_1983_HARN_Wisconsin_TM
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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/org/legal/>

Notes

T3N R22E Section 16
Lat: 42.7149 N
Long: -87.91413 W