

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): 10 May 2016

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER: Village of Pleasant Prairie,
MVP-2015-04681-MHK

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: WI County/parish/borough: Kenosha City: Pleasant Prairie

Center coordinates of site (lat/long in degree decimal format): Lat. 42.5492° N, Long. 87.8932° W.

Universal Transverse Mercator: 16

Name of nearest waterbody: Jerome Creek

Name of watershed or Hydrologic Unit Code (HUC): Upper Mississippi Region (07120004)

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: March 25, 2016 for Wetlands 1 & 2

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): See Section IV. B. below.

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: R.A. Smith delineation

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- Pleasant Prairie
- USDA Natural Resources Conservation Service Soil Survey. Citation: Kenosha 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): Kenosha County 1937, 1990, 2000 & 2005
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: Only wetlands 1 & 2 were reviewed for this determination as shown on the attached Figure 2. Wetlands 1 & 2 were included as part of a wetland delineation performed in 2015. They met the three wetland parameters with W-1 totaling 0.22 acres and W-2 totaling approximately 0.5 acres. The report identifies both wetlands as being situated in concave stormwater basins surrounded on three sides by man-made berms. Attached photographs 3 - 6 show the berms and depressions. Based on aerial photographs the parcel was developed after the year 1990.

Aerial photographs were reviewed from 1937 and 1990 that showed the property was an agricultural field that did not show wetness signatures. Based on information presented by the Wisconsin DNR, the current facility was constructed as of 1993 and a grading plan included a stormwater detention basin in the same shape and location as Wetland 2. That plan also showed a sediment basin structure with a drainage outlet near the southeast corner of Wetland 1 leading to Wetland 2. Wetlands 1 and 2 have been determined non-jurisdictional because they are features constructed in dry land for stormwater and sediment settling purposes.

This determination is in accordance with the preamble to the 1986 Corps Regulations (33 CFR Parts 320-330), which states that the Corps does not generally consider the following to be waters of the United States: artificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins or rice growing.



Map Legend

- Sample Plot
- Study Area - 10.1 acres
- ▨ Delineated Wetland - 2.4 acres

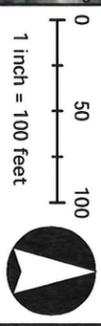
Review area shown within blue polygon.

Wetland 1
0.22 acre

Wetland 3
1.7 acres

Wetland 2
0.5 acre

Data Sources:
RASIN
Kenosha County



1 inch = 100 feet
October 09, 2015
1150571

Village of Pleasant Prairie
Prange Center Expansion
Village of Pleasant Prairie
Kenosha County, Wisconsin

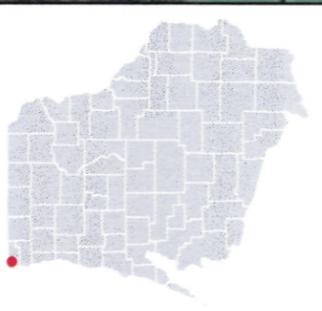


Figure 2
Wetland Boundary
Map