

**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):** MAR 08 2018

**B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER:** MVP-2018-00071-MVM Union Grove High School

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: Wisconsin County/parish/borough: Racine City: Union Grove  
Center coordinates of site (lat/long in degree decimal format): Lat. 42.69195° N, Long. -88.04728° W.  
Universal Transverse Mercator: Zone 15, X: 414212.53; Y: 4727139.02

Name of nearest waterbody: Des Plaines River

Name of watershed or Hydrologic Unit Code (HUC): 04040002 Pike-Root

- ☒ 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: February 8, 2018  
☐ 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): This jurisdictional determination is only applicable to wetlands W-1 and W-2 within the review area shown on the enclosed figure labeled MVP-2018-00071-MVM Page 2 of 3. Soils within the areas in question consist of Beecher Silt Loam and Beecher Loamy Sand. According to Natural Resources Conservation Service (NRCS), these soil units are predominantly non-hydric. A review of available historic aerial photography indicated no obvious wetness signatures within the review area. The Wisconsin Department of Natural Resources (WDNR) looked at aerial photography from 1937-2000 and also concluded that it offered no conclusive or consistent evidence of wet conditions within or immediately adjacent to both areas in question. The applicant provided a site plan from the year 2000 which showed proposed grading and other features for a stormwater detention basin and a constructed stormwater conveyance swale (see enclosed figure MVP-2018-00071-MVM Page 3 of 3). The site plan supports this determination that W-1 and W-2 are settling basins constructed in uplands. The basis for this jurisdictional determination is the preamble to the 1986 Corps Regulations (33 CFR Parts 320-330), which states that the Corps generally does not consider certain waterbodies to be Waters of the U.S. (WoUS), including: Artificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for

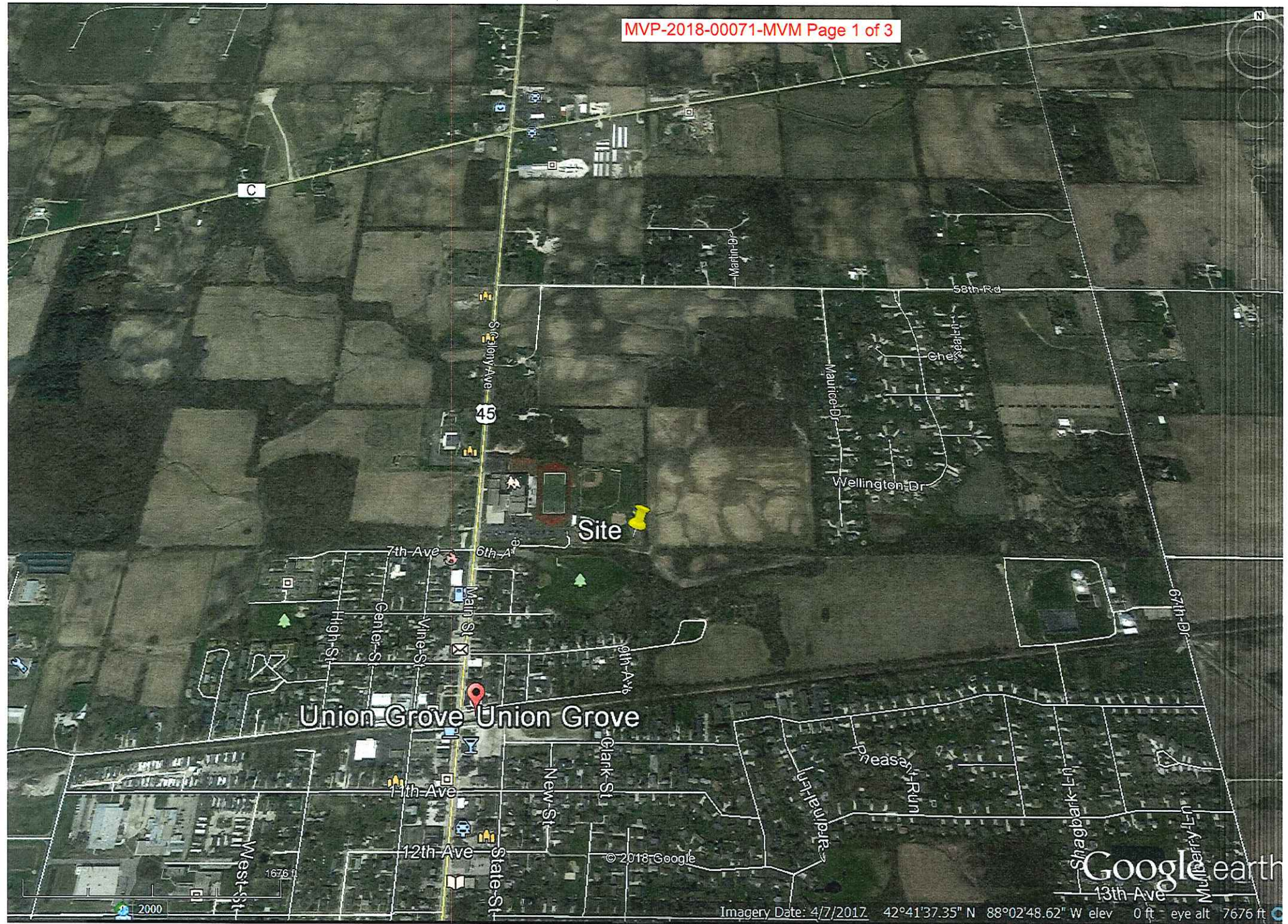
such purposes as stock watering, irrigation, settling basins, or rice growing. We conclude that W-1 and W-2 and settling basins constructed in uplands. Therefore, W-1 and W-2 are not WoUS and are not jurisdictional under the CWA.

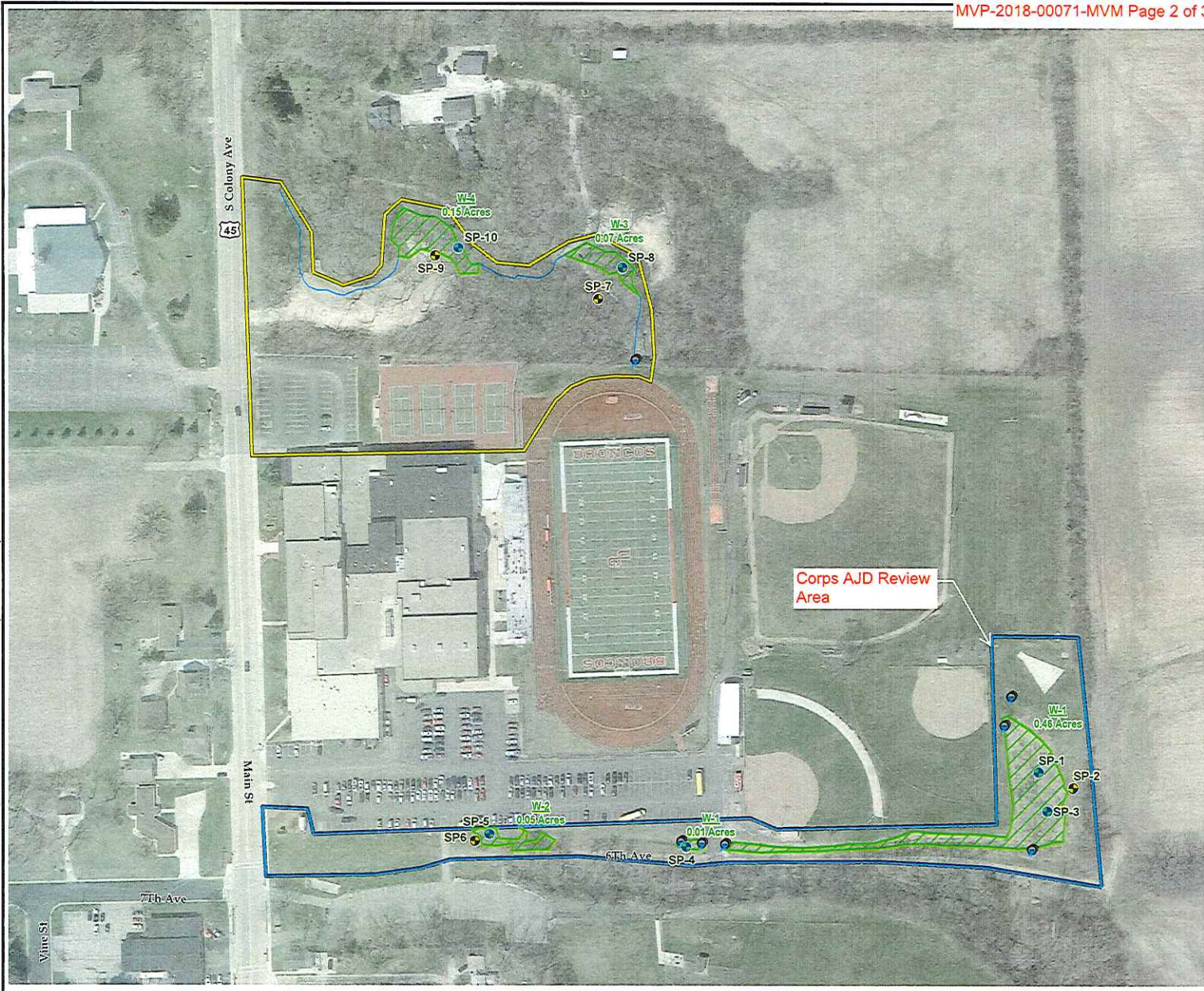
**SECTION IV: DATA SOURCES.**

**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: TRC Environmental Corporation  
Wetland and Waterway Delineation Report
- ☒ 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 Union Grove
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Racine County Soil Survey
- ☒ National wetlands inventory map(s). Cite name: USFWS NWI
- ☒ State/Local wetland inventory map(s): Wisconsin Surface Water Data Viewer
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Google Earth 1990 - April 2017  
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): Information provided by the Wisconsin Dept. of Natural Resources.

**B. ADDITIONAL COMMENTS TO SUPPORT JD:**



**LEGEND**

- CULVERT
- UPLAND SAMPLE POINT
- WETLAND SAMPLE POINT
- TOP OF RIGHT BANK
- TRC DELINEATED WETLANDS
- STUDY AREA NORTH
- STUDY AREA SOUTH

**NOTES**

1. BASE MAP IMAGERY FROM GOOGLE EARTH PRO & PARTNERS, APRIL 2017.
2. STUDY AREA NORTH - INTERMITTENT STREAM IS THE BOUNDARY TO THE NORTH AND EAST FOR THIS STUDY AREA.



PROJECT:		UNION GROVE HIGH SCHOOL UNION GROVE, RACINE COUNTY, WISCONSIN	
TITLE: <b>WETLAND &amp; WATERWAY DELINEATION MAP</b>			
DRAWN BY:	B DEEGAN	PROJ. NO.:	279892
CHECKED BY:	A LARSEN		
APPROVED BY:	A LARSEN		
DATE:	OCTOBER 2017		
		<b>EXHIBIT A</b>	
		150 North Patrick Blvd. Suite 100 Brookfield, WI 53005 Phone: 262.879.1212	
FILE NO.:		27898C-010.mxd	