



**US Army Corps  
of Engineers**  
St Paul District

**APPLICANT:** City of Waukesha  
(Cali Bonie)

# Public Notice

**ISSUED:** April 15, 2025  
**EXPIRES:** April 30, 2025

**REFER TO:** MVP-2024-00904-TKO **SECTION:** 404 - Clean Water Act

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1. APPLICATION FOR PERMIT TO permanently discharge dredged and fill material into 0.37-acre (16,289 sq ft), along 1,271 linear feet (LF), below the plane of the ordinary high water mark of an unnamed tributary to Pebble Creek, and the permanent discharge of fill material into 0.16-acre (7,034 sq ft) of wetland, for the purpose of constructing a new stormwater drainage channel and outfall structure at the City of Waukesha's Flood Mitigation Area 7. The project would also include the temporary discharge of dredged material into 0.03-acre (1,475 sq ft) of wetland for the purpose of grading associated with connecting the new drainage channel with existing features.

## 2. SPECIFIC INFORMATION

**AGENT** Donohue & Associates  
c/o: Joseph Holzwart  
3311 Weeden Creek Road  
Sheboygan, WI 53081

**PROJECT LOCATION:** The project site is located at the Waukesha North High School within Section 33, Township 07 North, Range 19 East, Waukesha County, Wisconsin. The approximate UTM coordinates are N 396943.45, E 4763750.57. Latitude: 43.0195, Longitude: -88.2648.

## DESCRIPTION OF PROJECT:

The applicant (City of Waukesha) has applied for a Department of the Army permit to discharge dredged and fill material into an unnamed tributary, and associated wetland, for the purpose of modifying an existing drainage channel and outfall structure. The project would consist of increasing the channel's drainage capacity and relocating a section of channel approximately 200 feet to the school's western property boundary. The existing outfall structure would be relocated 50 feet west to create emergency vehicle access to the school's softball field while the channel's relocation would accommodate a soccer/la crosse field and additional athletic facilities. The resulting channel would have an increased length of 1,521 linear feet following construction with an increased of width of 15 feet.

Though not a regulated activity, storm water management infrastructure (settling basin) would be incorporated into the project design. This feature would provide additional water storage capacity following storm events.

## QUANTITY, TYPE, AND AREA OF FILL:

The proposed project would result in the permanent discharge of dredged and fill material into 0.37-acre (16,289 sq ft), along 1,271 linear feet (LF), below the plane of the ordinary high water mark of an unnamed tributary to Pebble Creek, and the permanent discharge of fill material into

0.16-acre (7,034 sq ft) of wetland, for the purpose of constructing a new stormwater drainage channel and outfall structure. The project would also include the temporary discharge of dredged material into 0.03-acre (1,475 sq ft) of wetland for the purpose of grading associated with connecting the new drainage channel with existing features.

#### VEGETATION IN AFFECTED AREA:

Regulated activities would occur within an unnamed tributary to Pebble Beach and adjoining scrub-shrub/emergent wetlands along either side of the perennial channel. The tributary channel is primarily unvegetated with rock, sand, and gravel substrate. Dominant species within the impacted wetlands include box elder, buckthorn, willow species, dogwood, silver maple, burdock, reed canary grass, and stinging nettle.

#### SOURCE OF FILL MATERIAL:

Excavated material from the proposed channel would be used to fill the existing channel once flow is diverted to the new alignment. Additional fill material utilized for the project would come from off-site, be purchased from licensed commercial sources and will be free of contaminants or other pollutants.

#### SURROUNDING LAND USE:

The project area is located in the southwestern portion of the Waukesha North High School campus property. Surrounding land use includes residential development to the west and northwest, transportation corridor to the south, and institutional development (school) to the east to northeast.

#### DESCRIPTION OF DREDGING OR EXCAVATION:

As proposed the new channel would be excavated along the north and west property lines. Excavation would occur to a depth of approximately 7 feet with the resulting channel would have a length of 1,521 feet, bottom with of approximately 15 feet, with a 1.5:1 side slope.

#### THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT:

To minimize any adverse effects resulting from unavoidable impacts, the applicant has incorporated several planning and operational methods. Construction timing and sequencing will limit the time bare soil is exposed. Additionally, the new channel and storage area will be constructed and stabilized before diverting stormwater from the existing channel to the new channel. The applicant would implement best management practices (BMP) into the project plans during and immediately after construction to prevent effects to water quality resulting from the proposed work. Such measures include silt fence which would be installed adjacent to all marked wetlands and the waterway. Additional BMPs would include use of gravel tracking pads, catch basin protection, temporary seeding, and erosion matting.

#### MITIGATION:

The applicant has not proposed any compensatory mitigation.

3. FEDERALLY LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT

None were identified by the applicant or are known to exist in the permit area. However, this portion of Waukesha County is within the known or historic range of the following Federally listed species:

|                                |   |
|--------------------------------|---|
| Northern Long-Eared Bat        | Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.  |
| Whooping Crane                 | Habitat varies – breeds, migrates, winters and forages in a variety of habitats, including coastal marshes and estuaries, inland marshes, lakes, open ponds, shallow bays, salt marsh and sand or tidal flats, upland swales, wet meadows and rivers, pastures and agricultural fields. |
| Monarch Butterfly              | Habitat that supports sufficient nectar and pollen sources from diverse and abundant flowers such as prairies, woodlands, marshes, agricultural landscapes, and residential parks and gardens. The Monarch larvae are dependent on Common milkweed, the only known larval food source.  |
| Rusty Patched Bumble Bee       | Habitat varies – requires area that support sufficient nectar and pollen from diverse and abundant flowering plants, undisturbed nesting sites in proximity to floral resources, and overwintering sites for hibernating queens.  |
| Western Regal Fritillary       | Native prairie habitat.   |
| Eastern Prairie Fringed Orchid | Habitat varies – occurs in a wide variety of habitats, from mesic prairie to wetlands such as sedge meadows, marsh edges, even bogs. It required full sun for optimum growth and flowering and a grassy habitat with little to no woody encroachment.                                   |

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

#### 4. JURISDICTION

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Section 404 of the Clean Water Act.

#### 5. SECTION 401 WATER QUALITY CERTIFICATION

Valid Section 404 permits cannot be issued for any activity unless water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The Section 401 authority for this project is the Wisconsin Department of Natural Resources (WDNR). A Department of the Army permit will not be granted until the WDNR has issued or waived Section 401 WQC certification and the U.S. Environmental Protection Agency (USEPA) neighboring jurisdiction process is completed. Corps Section 404 Clean Water Act decisions may not be finalized until after the USEPA completes this process.

#### 6. HISTORICAL/ARCHAEOLOGICAL

This public notice is being sent to the National Park Service and the State Archaeologist for their comments. The Corps will review information on known cultural resources and/or historic properties within and adjacent to the project area. The Corps will also consider the potential effects of the project on any properties that have yet to be identified. The results of this review and the Corps' determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization, or approval, of the work in connection with this project.

#### 7. PUBLIC HEARING REQUESTS

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

#### 8. PUBLIC INTEREST REVIEW

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered

species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

#### REPLIES/COMMENTS

The Corps invites interested parties to submit written facts, arguments, or objections by the expiration date above. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Comments can be electronically submitted at the following link <https://rrs.usace.army.mil/rrs/public-notices> or by email to [Timothy.K.Orlowski@usace.army.mil](mailto:Timothy.K.Orlowski@usace.army.mil)

If electronic submittal is not available, commenters should address replies to:

**(Replace with Field Office address if needed)**

Regulatory Division  
St. Paul District Corps of Engineers  
332 Minnesota Street, Suite E1500  
St. Paul, MN 55101-1323

IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact Tim Orlowski in the Green Bay office at (651) 290-2010 or [Timothy.K.Orlowski@usace.army.mil](mailto:Timothy.K.Orlowski@usace.army.mil).

To receive Public Notice notifications, go to: <https://www.mvp.usace.army.mil/Contact/RSS/> and subscribe to the RSS Feed for which you would like to receive Public Notices.

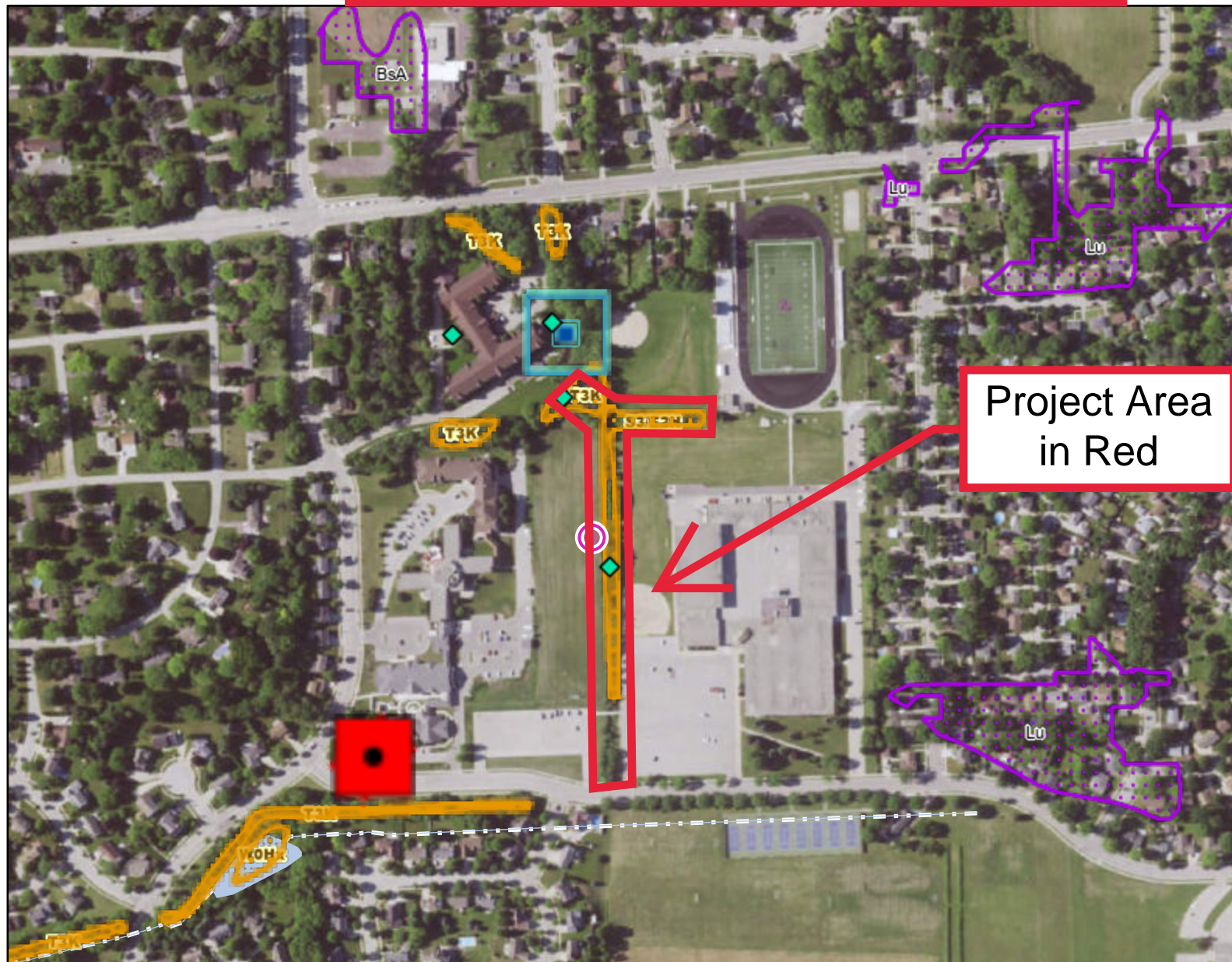
Enclosures:

MVP-2024-00904-TKO Figures 1-5 of 5





# 2024-00904-TKO Figure 1 of 5



Project Area  
in Red

## Legend: (some map layers may not be displayed)

- FIRM Panels
- Floodplain Analysis Upstream Catchment
- Wetland Identifications and Confirmations
- Wetland Class Points
  - Excavated pond
  - Filled excavated pond
- Filled Points
  - Yes
- Wetland Class Areas
- Wetland Indicators
- 24K Lakes and Open Water
- 24K Streams and Rivers
- 24K Intermittent Streams
- Latest Leaf On Imagery
- City or Village
- County Boundaries

## Notes:



Map: 0 400 800 Feet  
0 110 220 Meters

This map is a product generated by a DNR web mapping application.

This map is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. The user is solely responsible for verifying the accuracy of information before using for any purpose. By using this product for any purpose user agrees to be bound by all disclaimers found here: <https://dnr.wisconsin.gov/legal>

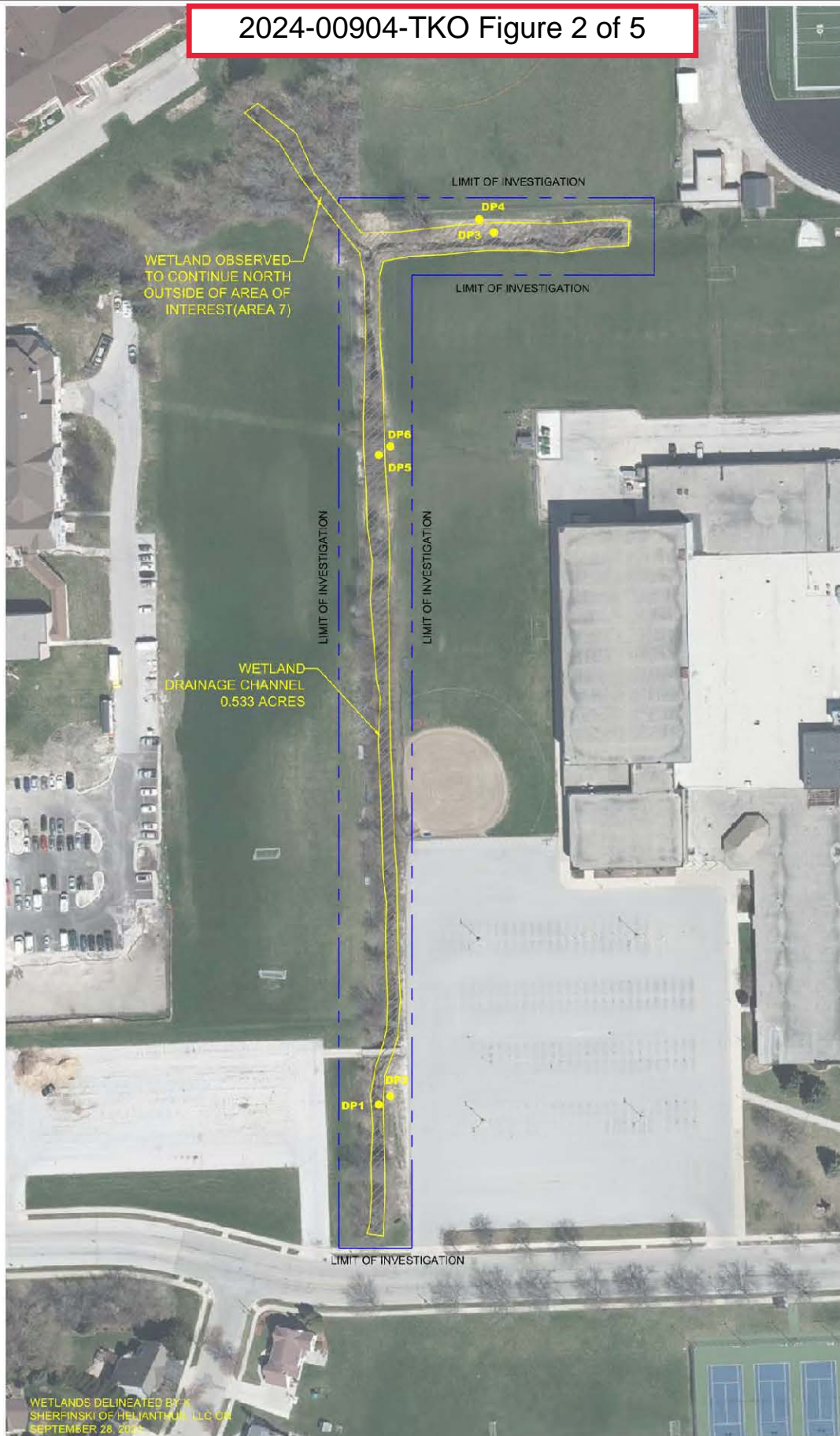
## Service Layer Credits:

Wisconsin Wetland Inventory NWI (cached); Wetland Indicators & Soils: Surface Water Data Viewer Team, EN Basic Basemap WTM Ext; 2022 Leaf On; Priority Navigable Waterways: Waterway Protection, WDNR, Fisheries Management: WI Dept. of Natural Resources, Water Division, Wisconsin Wetland Inventory NWI (Dynamic): Calvin Lawrence, Dennis Weise, Nina Rihn, Paper FIRMS: Federal Emergency Management Agency, Wisconsin Department of Natural Resources, Digital FEMA Floodplains (National Flood Hazard

Map projection: NAD 1983 HARN Wisconsin TM

Date Printed: 2/18/2025 10:17 AM





2222 MICHIGAN AVE  
WAUKESHA, WI 53189

WETLAND BOUNDARY MAP  
WAUKESHA NORTH HIGH SCHOOL  
AREA 7



FIGURE 7

21-195  
11-22-2021  
KAS

1.0

**HELIANTHUS**  
HELIANTHUS LLC  
1836 W. FOND DU LAC  
AVE., SUITE 100  
MILWAUKEE, WI 53205



Exhibit

FIGURE 9

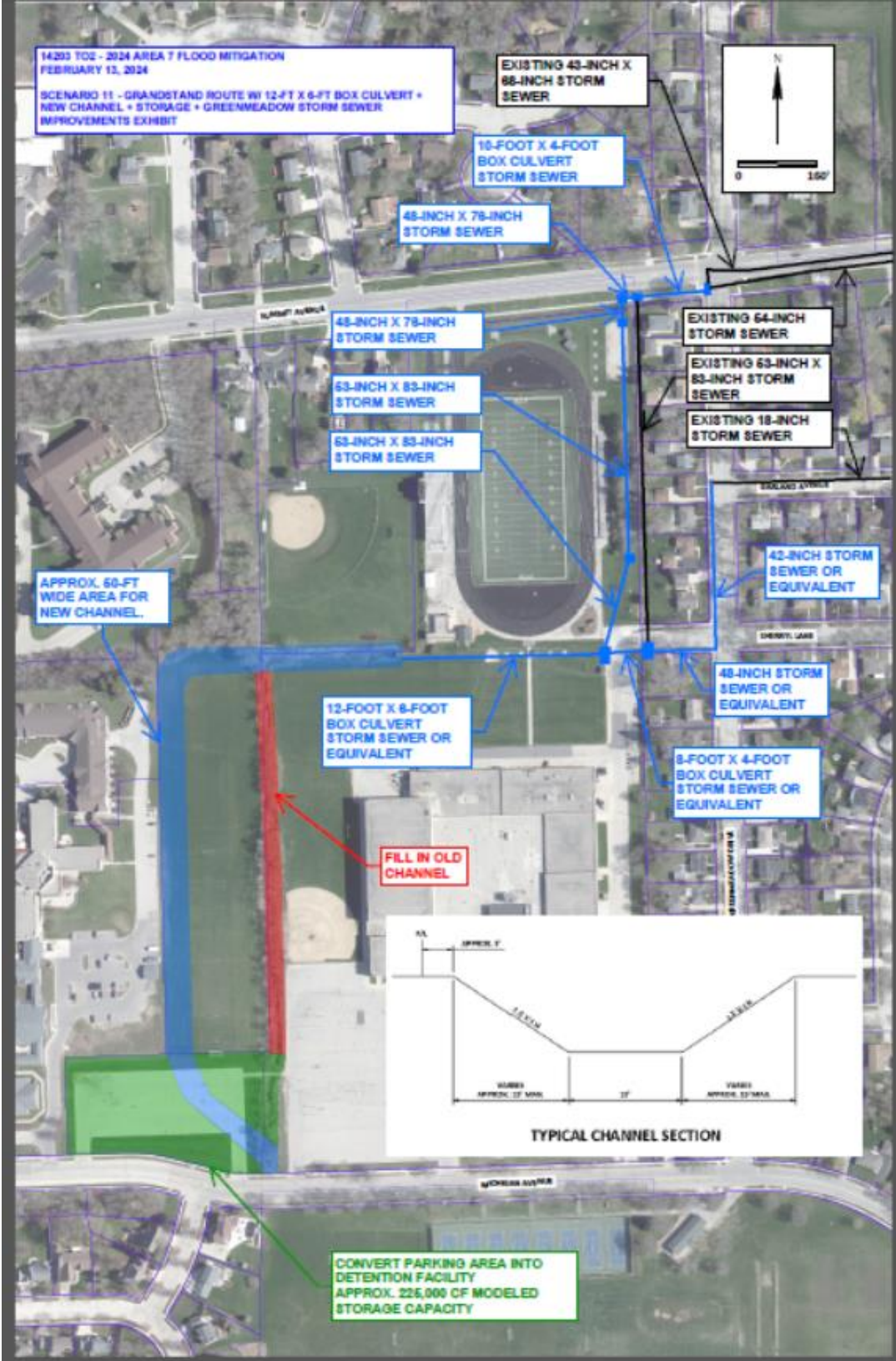
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| Project  | 21-195B    |
| Date     | 09-24-2024 |
| Drawn By | KAS        |

Sheet  
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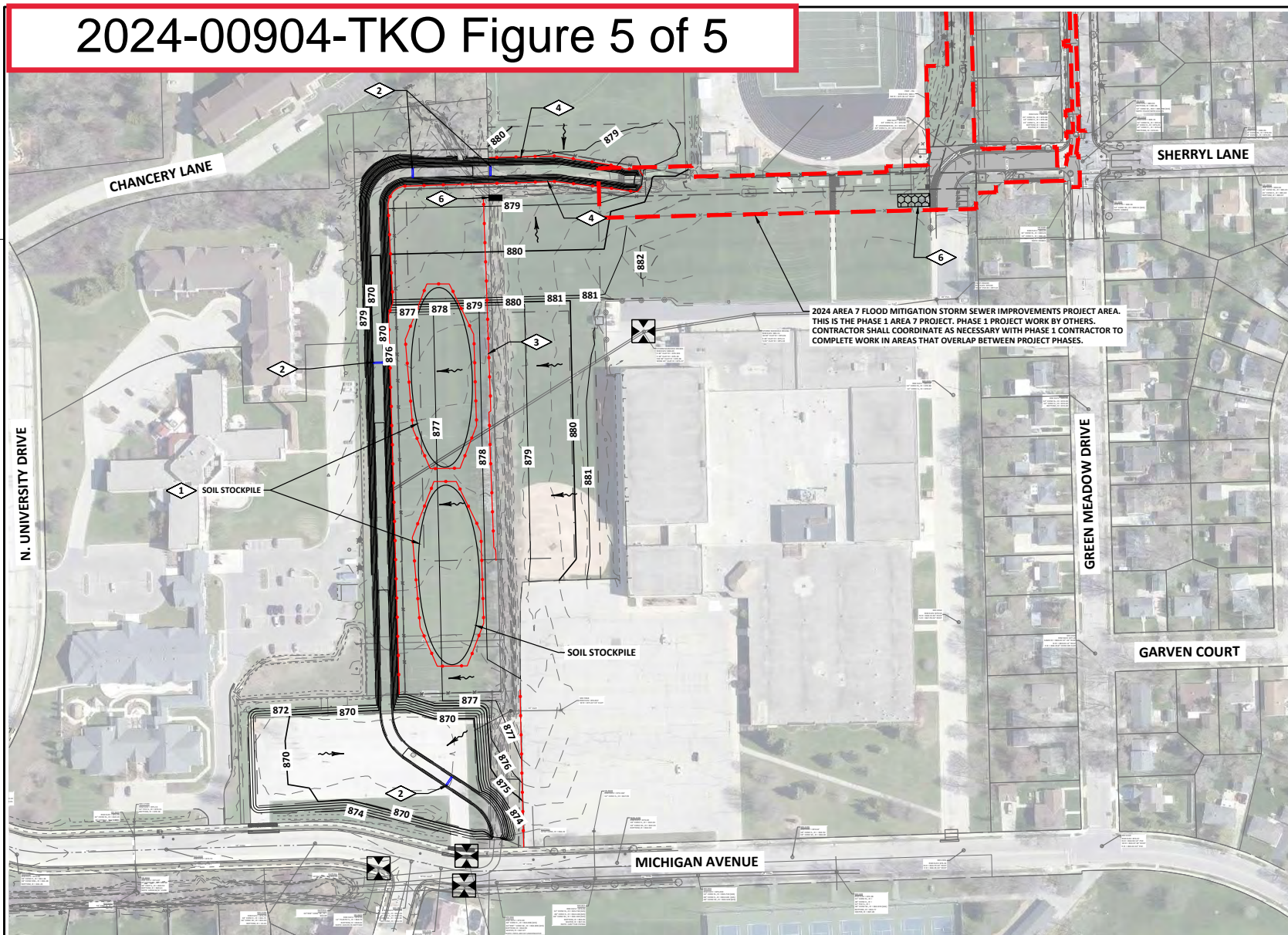
2024-00904-TKO Figure 4 of 5



### Figure 3: Area 7 Project Map



# 2024-00904-TKO Figure 5 of 5



**GENERAL NOTES:**

1. SEE 100-SP DRAWINGS FOR SEQUENCING PLAN.

**PLAN NOTES:**

1. TOPSOIL AND EXCAVATED MATERIAL STOCKPILES. MAINTAIN A 25-FOOT MINIMUM SEPARATION FROM BOTTOM OF PILES AND TOP OF EXISTING AND PROPOSED CHANNELS.
2. 2.5 FOOT HIGH STONE DITCH CHECK IN ACCORDANCE WITH WDNr TECHNICAL STANDARD NO. 1062.
3. REMOVE THIS RUN OF SILT FENCE AS UPHILL AREA TO EAST IS STABILIZED.
4. INSTALL SILT FENCE AROUND STAGE B CHANNEL EXTENSION FOLLOWING COMPLETION OF CHANNEL EXTENSION AND EXISTING E-W CHANNEL ABANDONMENT WORK. INSTALLING SILT FENCE WILL MINIMIZE THE AMOUNT OF SEDIMENT REACHING THE CHANNEL FROM THE SURROUNDING SITE UNTIL STABILIZATION IS COMPLETE.
5. BEGIN ABANDONMENT OF EXISTING N-S DRAINAGE CHANNEL BY FILLING THIS LOCATION IN ACCORDANCE WITH THE STAGE B SEQUENCING PLAN.
6. PHASE 1 PROJECT CONTRACTOR WILL ALSO BE ACCESSING SITE FROM THIS LOCATION. COORDINATE SITE ACCESS WITH PHASE 1 PROJECT CONTRACTOR.

**LEGEND**

- TRACKING PAD, SEE DETAIL C031
- SILT FENCE, SEE DETAIL C031
- INLET PROTECTION, SEE DETAIL C031
- SURFACE WATER FLOW

CITY OF WAUKESHA  
DEPARTMENT OF PUBLIC WORKS

2025 AREA 7 FLOOD MITIGATION CHANNEL AND STORAGE IMPROVEMENTS  
EROSION CONTROL PLAN: STAGE B

APPROVED: \_\_\_\_\_ DATE: XX/XX/XX  
APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
DRAWN BY: BEG/NIW  
CHECKED BY: \_\_\_\_\_

PLOT SCALE: 1 IN=150 FT  
PLOT DATE: 2/10/2025 2:17 AM

100-EC-2  
PROJECT NO: 2025 - FLOOD MITIGATION

015

WDNR REVIEW PLANS

FILE NAME: P:\4203\area7\Draw\Area7\_Channel and Storage Improvements Plan\100EC2.dwg LAYOUT NAME: 100-EC-2