



US Army Corps
of Engineers®

PUBLIC NOTICE

St. Paul District
Permit Application
No. MVP-2025-01283-
RJH

Published: July 7, 2026
Expires: July 28, 2026

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), St. Paul District has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. § 1344). The purpose of this public notice is to solicit comments from the public and information necessary to evaluate the probable impact on the public interest regarding the proposed activity as described below and as shown on the enclosed drawings.

APPLICANT: Keith Gonnering
KG Futures Group
W2426 Stephanie Street
Kaukauna, WI 54130

LOCATION OF PROPOSED ACTIVITY: The proposed activity would affect waters of the United States associated with an unnamed tributary to Apple Creek. The project/review area is located northeast of the intersection of McHugh Road / Park Avenue. in Section 14, Township 022N, Range 018E; at Latitude 44.381000 and Longitude -88.278810; in Kaukauna, Outagamie County, Wisconsin.

PROPOSED ACTIVITY: The applicant is requesting a DA permit to discharge fill material into 1.3 acres of wetlands for the construction of the Freedom Meadows Residential Development. The project includes construction of roadways and installation of utilities. This will be followed up with the development of single and multi-family residential homes. An additional Approved Jurisdictional Determination may result in a reduction of impacts to waters of the U.S.

MITIGATION: The applicant proposes to compensate for the loss of wetland function by purchasing wetland bank credits from a federally approved mitigation bank within the same BSA. The USACE will determine the type and amount of compensatory mitigation necessary to offset losses of waters of the United States which may result from the proposed activity in accordance with 33 CFR § 332. Vehicle tracking pads will be placed at the site entrances/exits and inlet protection will be installed on all installed storm sewer inlets. Existing ditches will have ditch checks. Perennial seed and mulch will be used to stabilize other vegetated areas. Wetland areas will be marked and protected with silt fences to reduce erosion.

HISTORIC PROPERTIES/CULTURAL RESOURCES: Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), requires Federal agencies to consult with the appropriate State and/or Tribal Historic Preservation

Officers to take into account the effects of actions they undertake or permit on historic properties listed in or eligible for listing in the National Register of Historic Places.

The USACE is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government agencies with respect to historic resources.

The USACE's final eligibility and effect determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes, and other interested parties, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the USACE-identified permit area.

ENDANGERED SPECIES: Section 7 of the Endangered Species Act (ESA) (16 U.S.C. § 1536) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or that may adversely modify designated critical habitat (or critical habitat proposed such designation).

The Corps has performed an initial review of the application and the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project will not affect any listed species or critical habitat.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Monarch Butterfly	Danaus plexippus	Proposed Threatened
Whooping Crane	Grus americana	Experimental Population, Non-Essential

This notice serves as request to the USFWS for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 408) because the activity, in whole or in part, would not alter, occupy, or use a USACE Civil Works project.

WATER QUALITY CERTIFICATION: An Individual Water Quality Certification may be required from the Wisconsin Department of Natural Resources pursuant to Section 401 of the Clean Water Act (33 U.S.C. § 1341).

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. A Department of the Army permit will not be granted until the Wisconsin Department of Natural Resources 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.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the USACE jurisdiction has been verified in part by USACE personnel.

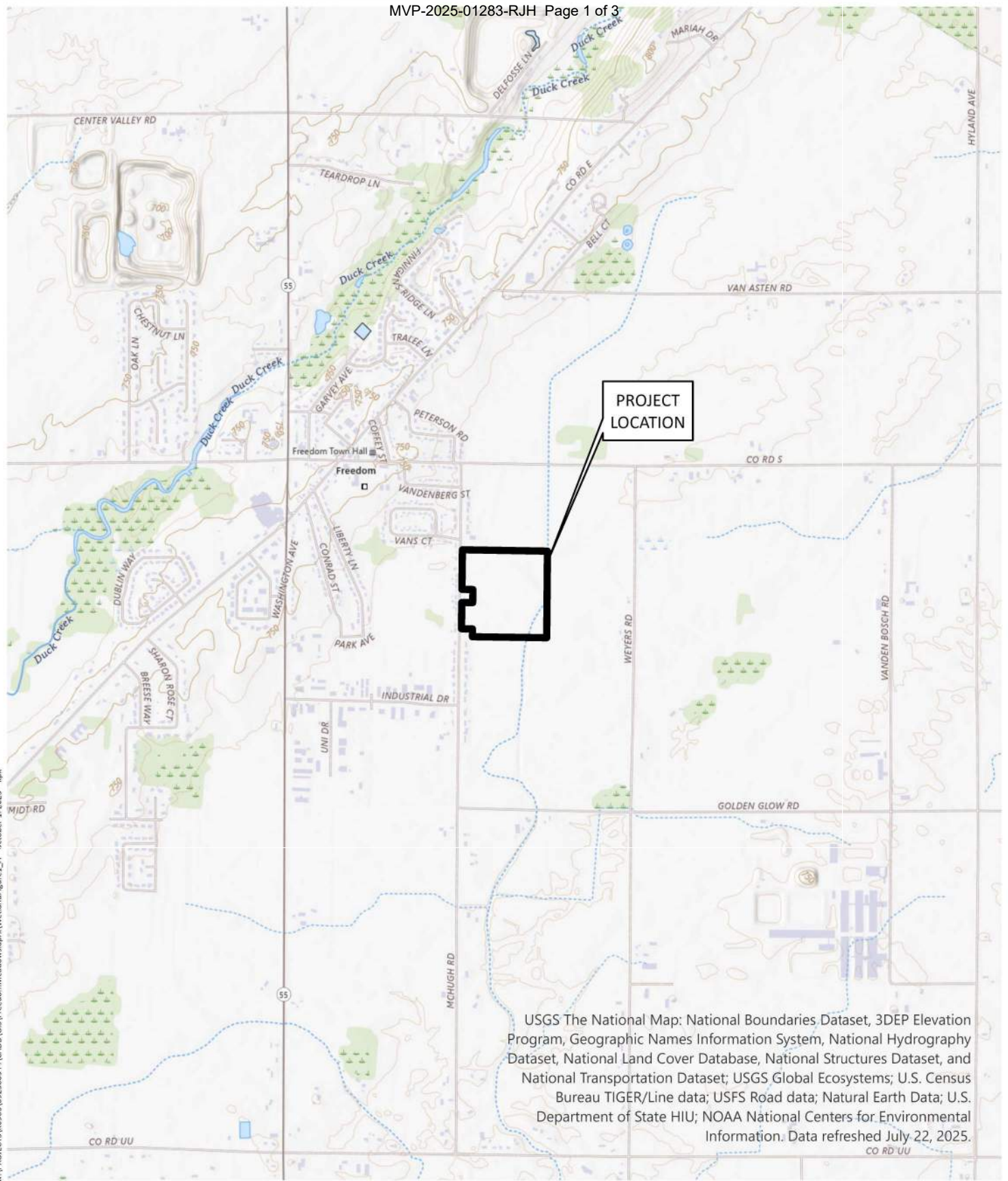
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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 cumulative impacts thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, 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, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The USACE is soliciting comments from the public; Federal, State, and local agencies and officials; Tribal Nations; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, condition, or deny a permit for this proposed activity. To make this determination, comments are used to

assess impacts to 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. Any comments or objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested permit. Please note that all comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

The St. Paul District will receive written comments on the proposed activity, as outlined above, until July 27, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs/public-notice>. Alternatively, you may submit comments to Ryan Huber at ryan.j.huber@usace.army.mil or U.S. Army Corps of Engineers, St. Paul District, Attention: Ryan Huber, 320 North Broadway, Green Bay, WI 54303. Please refer to **"MVP-2025-01283-RJH"** in your comments.



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road data; Natural Earth Data; U.S. Department of State HIU; NOAA National Centers for Environmental Information. Data refreshed July 22, 2025.

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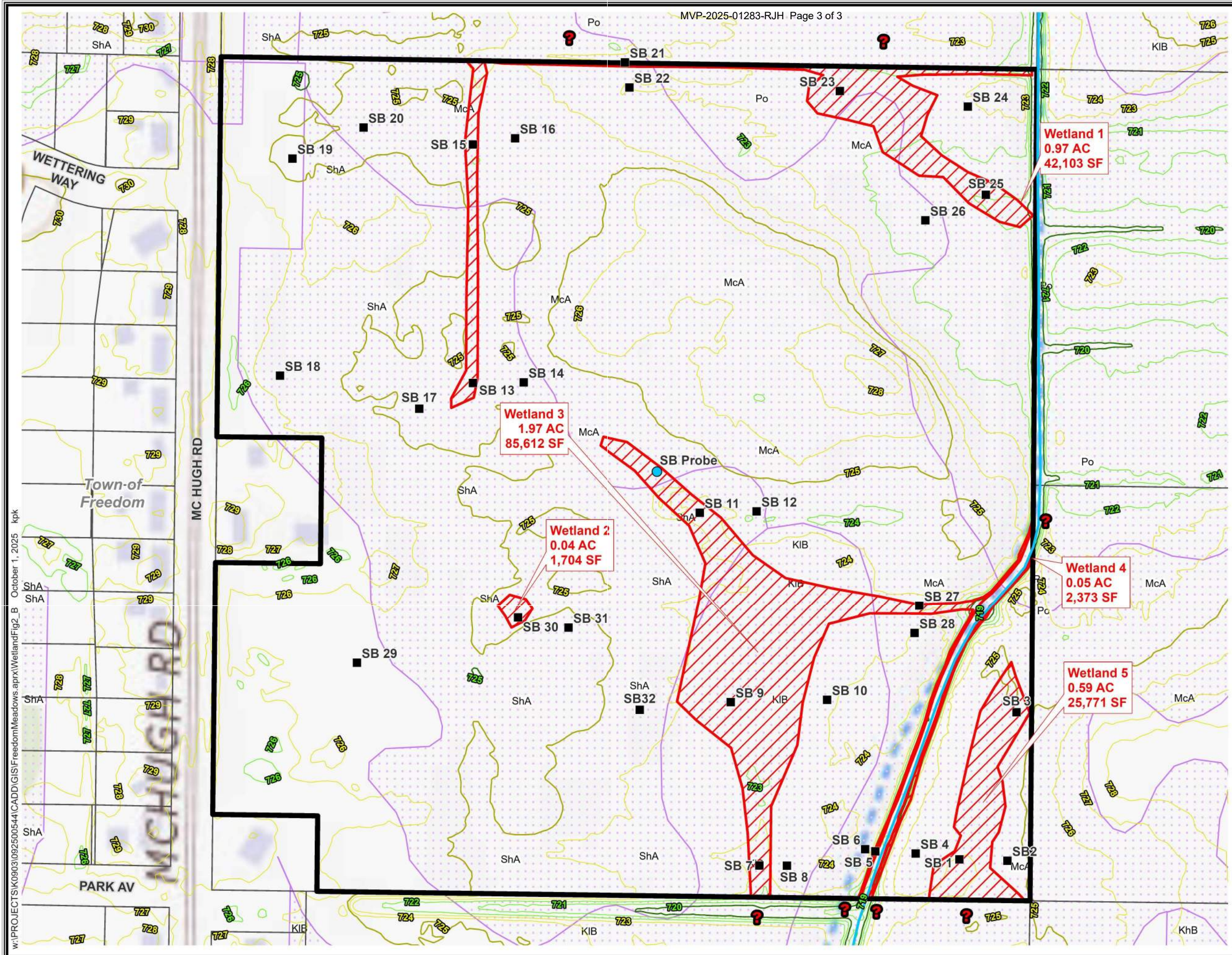
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1 inch equals 2,000 Feet

FIGURE 1
SITE LOCATION & TOPOGRAPHIC MAP
FREEDOM MEADOWS
TOWN OF FREEDOM
OUTAGAMIE COUNTY, WISCONSIN

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Mapped Features

- Review Area Boundary (38.27 acres)
- Wetland Area (3.62 acres / 157,562 SF)
- SB 1 Soil Boring and ID
- SB Probe Soil Boring Probe
- Wetlands Extend Beyond Review Area
- WDR Wetland Indicator
- WDR Wetland Inventory (NA)
- Waterway
- Parcel Line
- Index Contour
- Intermediate Contour
- Index Depression Contour
- Intermediate Depression Contour

Wetland 1
0.97 AC
42,103 SF

Wetland 3
1.97 AC
85,612 SF

Wetland 2
0.04 AC
1,704 SF

Wetland 4
0.05 AC
2,373 SF

Wetland 5
0.59 AC
25,771 SF

Project No: D0908 - 09-25-00380
Wetland Delineation Date: April 30, 2025
Data Sources: Winnebago County, 2025; WDR, 2025
Imagery: Winnebago County, 2023

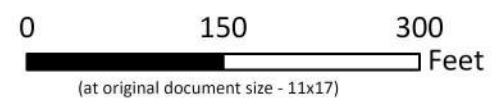


FIGURE 2
USGS TOPOGRAPHIC MAP
FREEDOM MEADOWS
TOWN OF FREEDOM
OUTAGAMIE COUNTY, WISCONSIN

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