

**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):** October 19, 2021

**B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER:** Lot 2 of CSM 6140 (CTH EE), Town of Oneida (Wetlands 3 & 4) / 2021-01672-JLK

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

State: **Wisconsin** County/parish/borough: **Outagamie** City: **Oneida**  
Center coordinates of site (lat/long in degree decimal format): Lat. **44.44388° N**, Long. **-88.21008° E**.  
Universal Transverse Mercator: **Zone 16**

Name of nearest waterbody: **Unnamed Tributary of Duck Creek**

Name of watershed or Hydrologic Unit Code (HUC): **Lower Fox (04030204)**

- 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: **September 23, 2021**  
 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.

**1. Waters of the U.S.:** N/A

**2. Non-regulated waters/wetlands (check if applicable):<sup>1</sup>**

- Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.  
Explain: **Based on a review of aerial photography, topographic maps, and the wetland delineation report submitted by the requestor, we have determined that Wetlands 3 and 4 are isolated wetland depressions with boundaries that transition into uplands within the review area. As depicted in aerial imagery, the wetland signatures observed within the delineated wetland features do not extend outside of the review area and are surrounded entirely by uplands. In addition, the review area has minor changes in elevation, as show in the USGS topo maps.**

**Wetlands 3 and 4 do not abut and are not separated from any waters of the U.S. by natural or man-made features. The nearest mapped tributary is an unnamed tributary to Duck Creek located approximately 0.10 mile to the south. However no surface water connections were found linking the wetlands within the review area to this tributary or other aquatic resources. Based on this information, Wetlands 3 and 4 are ecologically separated from all other aquatic resources.**

**These aquatic resources do not support a link to interstate foreign commerce; are not known to be used by interstate or foreign travelers for recreation or other purposes; do not produce fish or shellfish that could be taken and sold in interstate or foreign commerce; and are not known to be used for industrial purposes by industries in interstate commerce. Therefore, the Corps has determined these aquatic features are not regulated by the Corps under Section 404 of the Clean Water Act.**

**SECTION III: CWA ANALYSIS**

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

<sup>1</sup> Supporting documentation is presented in Section III.F.

