

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): **JAN 05 2017**

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER: 2015-00667-JLK

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: WI County/parish/borough: Brown City: Green Bay

Center coordinates of site (lat/long in degree decimal format): Lat. 44.55357° N, Long. -88.03976° W.

Universal Transverse Mercator:

Name of nearest waterbody: Green Bay (Lake Michigan)

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

☒ 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: 10/31/2016

☐ 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): The review area is Cells 1 and 3 of the Bay Port Confined Disposal Facility (CDF). Cells 1 and 3 of the Bay Port CDF were authorized and developed in 1966 by the Corps of Engineers (Detroit District) and local sponsors pursuant to the Rivers and Harbors Act. The authorized disposal and discharge of material began prior to implementation of Section 404 of the Clean Water Act and continued periodically since 1966. In accordance with 33 CFR 330.3, the discharge of dredged or fill material and/or work in any aquatic resources in the review area has been authorized by NWP's issued on July 19, 1977 and does not require further permitting under Section 404 of the Clean Water Act.

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: City of Green Bay

☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.

☐ Office concurs 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:
- ☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
- ☐ National wetlands inventory map(s). Cite name:
- ☒ State/Local wetland inventory map(s): **WDNR Surface Water Data Viewer Map**
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): **City of Green Bay**
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): **Project Bay Port Update March 31, 1989**

B. ADDITIONAL COMMENTS TO SUPPORT JD:



100 50 0 100 Feet

NEW WEST SIDE YARD
WASTE COMPOSTING SITE
PARCEL 6-7-1

City of Green Bay

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Map prepared by City of Green Bay Public Works Department, 2008.



2015-00667-JLK (Figure 1 of 1)