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): March 24, 2017

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER: MVP-2017-00257-EMN, Ron Hostetler Landscape Pond

C. PROJECT LOCATION AND BACKGROUND INFORMATION:
   State: Wisconsin  County/parish/borough: Marathon  City: Town of Spencer
   Center coordinates of site (lat/long in degree decimal format): Lat. 44.71196° N, Long. -90.31170° E.
   Universal Transverse Mercator: Zone 16
   Name of nearest waterbody: Yellow River
   Name of watershed or Hydrologic Unit Code (HUC): 0707000311
   ☑ 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: March 24, 2017
   ☑ Field Determination. Date(s): September 21, 2016

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):

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: January 6, 2017
   ☑ 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.
B. ADDITIONAL COMMENTS TO SUPPORT JD: A pre-application meeting was held with Ron Hostetler (landowner) to discuss his pond project and it was determined that the size and depth would not meet our requirements under RGP-002-WI if located in waters of the United States. Eric Norton (Corps) delineated the wetland boundary on-site and Mr. Hostetler indicated that he would construct the pond wholly within an upland area as shown in the attached figures. The review area encompasses a 3.5-acre area of his property that is positioned on an upland slope and is dominated by a variety of upland grasses and forbes.
DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: http://dnr.wi.gov/legal/