

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): **APR 16 2019**

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER: West Elm Court, City of Franklin (Ponds 1, 2, and 3) 2019-00567-JLK

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Wisconsin County/parish/borough: Milwaukee City: Franklin
Center coordinates of site (lat/long in degree decimal format): Lat. 42.88389° N, Long. -88.02967° W.
Universal Transverse Mercator: Zone 16

Name of nearest waterbody: Legend Creek

Name of watershed or Hydrologic Unit Code (HUC): Pike-Root Watershed (04040002)

- ☒ 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 21, 2019
☐ 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 includes three storm water ponds constructed in uplands (labeled as Ponds 1, 2, and 3 on figure) totaling approximately 0.84 acre in size. Constructed in the early 2000's, these ponds were designed for stormwater retention purposes. Pursuant to 33 CFR Part 328.3(c); artificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing are not waters of the United States.**

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: MEI, Thomas J. Murn Wetland Delineation, 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.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name:
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: **Milwaukee County**
- ☒ National wetlands inventory map(s). Cite name:
- ☒ State/Local wetland inventory map(s): **Wisconsin Wetland Inventory**
- ☒ FEMA/FIRM maps:
- ☒ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): **2017 Wetland Delineation Report**
or ☒ Other (Name & Date): **Ground Level Photos**
- ☒ Previous determination(s). File no. and date of response letter:
- ☒ Applicable/supporting case law:
- ☒ Applicable/supporting scientific literature:
- ☒ Other information (please specify): **Historical aerial photos demonstrate the ponds were constructed in uplands.**

B. ADDITIONAL COMMENTS TO SUPPORT JD:

Storm Water Ponds 1, 2, and 3

Google earth

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2019-00567-JLK (Figure 1 of 2)



PART OF LOT 3 AND PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 6538 BEING A PART OF THE NW 1/4 OF SECTION 21, TOWN 5 NORTH, RANGE 21 EAST AND A PART OF THE NE 1/4 OF SECTION 20, TOWN 5, NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WI.

CHRYSLER	Length	Weight	Area	Perimeter	Volume	Length
01	175.27	330.00	17.09	76.24	74.00	74.00
02	209.26	330.00	32.45	135.44	209.26	209.26
03	165.26	280.00	33.41	115.41	165.26	165.26
04	114.88	100.00	31.83	76.24	114.88	114.88

- ### LEGEND
- CURB INLET
 - EXISTING FLOOR ELEV.
 - STORM MANHOLE
 - SANITARY MANHOLE
 - ELECTRIC PEDESTAL
 - TYPICAL
 - 600 — GROUND CONTOUR
 - 14 — WATER VALVE
 - 15 — GATE
 - 16 — POWER POLE
 - 17 — HYDRANT
 - 18 — R/W BAY
 - 19 — CULVERT PIPE AS NOTED
 - 20 — STREET LIGHT
 - 21 — SOIL BORING
 - 22 — STORM LINE
 - 23 — UNDERGROUND TV PER PLAN
 - 24 — UNDERGROUND ELEC. PER PLAN
 - 25 — UNDERGROUND GAS LINE
 - 26 — WATERMAIN
 - 27 — SANITARY SEWER
 - 28 — INDICATES PER UTILITY PER PLAN
 - 777.72 — POND BOTTOM ELEVATION

Note:
Underground Utilities Located by:
DIGGERS HOTLINE
Toll Free (800)242-8511
Milwaukee Area (414)259-1181
Hearing Impaired TDD (800)542-2289
www.DiggersHotline.com
REGISTER'S HOTLINE TICKETS:
DIGGERS HOTLINE TICKET NOS: 20174020416

NOTES:

- [illegible]



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LOCATION	WEST ELM COURT CITY OF FRANKLIN MILWAUKEE CO, WI	
	WOODBRIDGE BUILDERS	
CLIENT	KAITLIN WOODS/KAITLIN MEADOWS	
PROJ. NAME	TOPOGRAPHIC SURVEY	
SHEET 1 OF 1		
DATE: 11/09/2017		
REVISED:	RE:	
DRWN: SMW	CHKD: JDD	
PROJ. NO: 17108		
FILE NO: 17108 SURVEY.DWG		