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): April 20, 2020


C. PROJECT LOCATION AND BACKGROUND INFORMATION:
   State: WI   County/parish/borough: Calumet   City: Village of Harrison
   Center coordinates of site (lat/long in degree decimal format): Lat. 44.240963° N, Long. -88.340359° W
   Universal Transverse Mercator: Zone 16 (X 392973.508012, Y 4899510.121012)
   Name of nearest waterbody: Garners Creek
   Name of watershed or Hydrologic Unit Code (HUC): Great Lakes Region (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: April 19, 2020
   ☐ 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):
   ☐ Other: (explain, if not covered above): The review area contains 24 intrastate wetlands, Wetland 1 through Wetland 24 as described in the McMahon Associates, Inc. report dated November 13, 2019. Each of these wetlands were constructed in upland and does not carry perennial flow. In accordance with the preamble to the 1986 Corps Regulations (33 CFR Parts 320-330), the Corps does not generally consider the following waters to be waters of the United States; non-tidal drainage ditches excavated on dry land. Further clarification is provided in the December 2, 2008 Revised Guidance on Clean Water Act Jurisdiction following the Supreme Court Decision in Rapanos v. U.S. and Carabell v. U.S. issued jointly by the Corps and EPA which indicates that ditches excavated wholly in and draining only uplands and do not carry relatively permanent flow are not waters of the United States.
   ☒ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers

   Wetland 1 is 183 square feet (sf), Wetland 2 is 203 sf, Wetland 3 is 207 sf, Wetland 4 is 139 sf, Wetland 5 is 459 sf, Wetland 6 is 14 sf, Wetland 7 is 160sf, Wetland 8 is 593 sf, Wetland 9 is 307 sf, Wetland 10 is 575 sf, Wetland 11 is 57 sf, Wetland 12 is 164 sf, Wetland 13 is 155 sf, Wetland 14 is 319 sf, Wetland 15 is 54 sf, Wetland 16 is 676 sf, Wetland 17 is
56 sf, Wetland 18 is 638 sf, Wetland 19 is 365 sf, Wetland 20 is 351 sf, Wetland 21 is 201 sf, Wetland 22 is 422 sf, Wetland 23 is 213 sf, and Wetland 24 is 407 sf.

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: McMahon Associates, Inc. Wetland Delineation Report dated November 13, 2019
   ☑ 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: 1:24 K WI-Sherwood
   ☑ USDA Natural Resources Conservation Service Soil Survey. Citation: Calumet County
   ☑ National wetlands inventory map(s). Cite name:
   ☑ State/Local wetland inventory map(s): Wisconsin Wetland Inventory (Wisconsin DNR Surface Water Data Viewer)
   ☑ FEMA/FIRM maps:
   ☑ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
   or ☑ Other (Name & Date): ground level photos in application
   ☑ Previous determination(s). File no. and date of response letter:
   ☑ Applicable/supporting case law:
   ☑ Applicable/supporting scientific literature:
   ☑ Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD: