

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): **MAR 14 2019**

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER: McShoe's Inc., Town of Pittsfield, Brown County (Wetland 1)/2007-06641-JLK

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Wisconsin County/parish/borough: Brown City: Pittsfield
Center coordinates of site (lat/long in degree decimal format): Lat. 44.599825° N, Long. -88.224315° W
Universal Transverse Mercator: Zone 16

Name of nearest waterbody: Unnamed Tributary of the West Branch Suamico River

Name of watershed or Hydrologic Unit Code (HUC): Northwestern Lake Michigan (04030103)

- 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 13, 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 one water filled depression created in dry land (Wetland 1 on figure) totaling 0.05 acre in size. Development in the area started in the 1980's that included the lawful rerouting of an unnamed tributary of the West Branch Suamico River off the site. In the 2000's, additional filling and poor grading practices were conducted on site that resulted in the development of this water-filled depression. Pursuant to 33 CFR Part 328.3(e); waterfilled depressions created in dry land incidental to construction activities and pits excavated in dry land are not waters of the United States.**

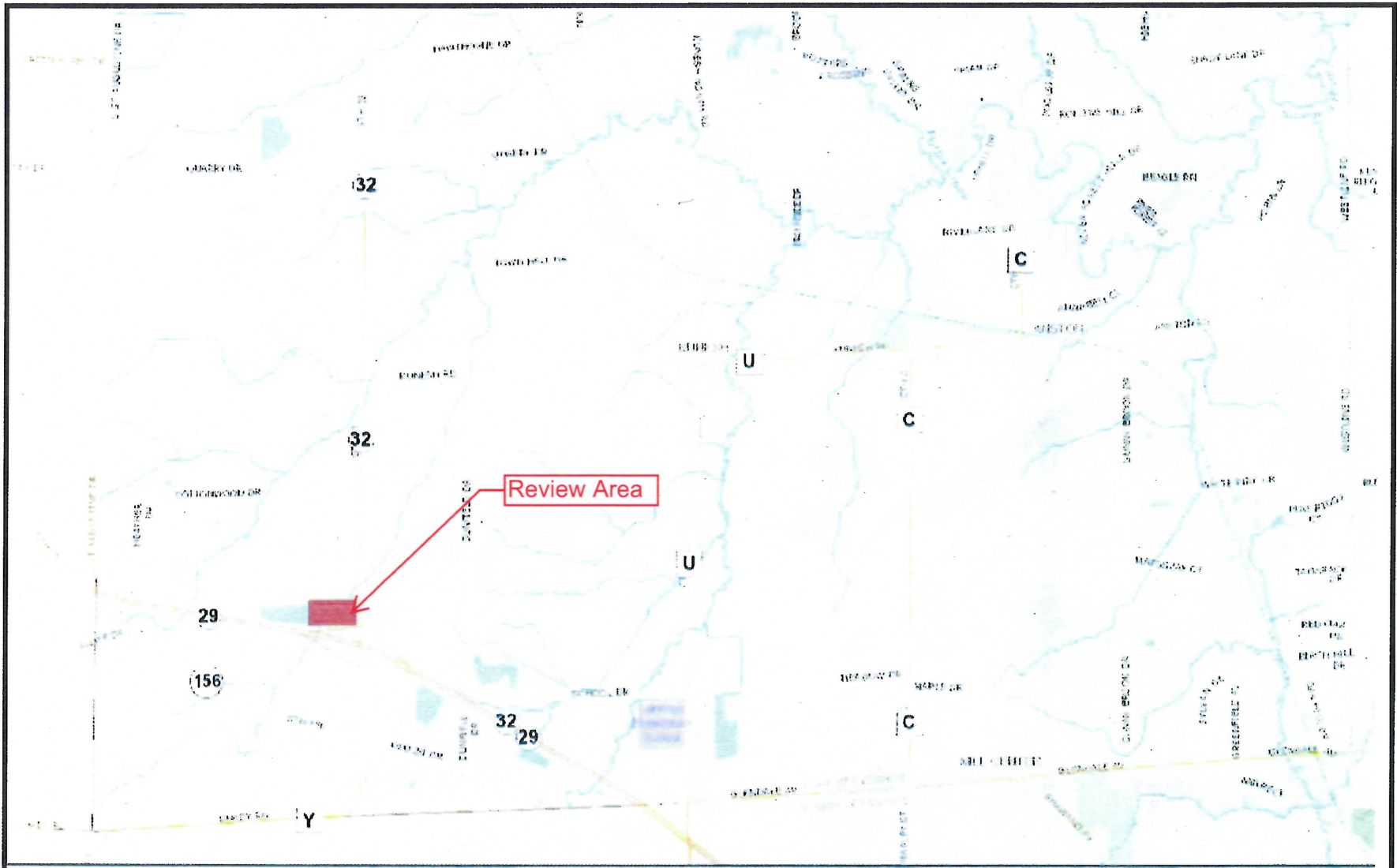
SECTION IV: DATA SOURCES.

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: George & Holdt Soil Consultants
Wetland Delineation 2018
 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: **Brown 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): **2018 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):

B. ADDITIONAL COMMENTS TO SUPPORT JD:



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DAVID A. GEORGE

AARON HOLDT

Project Location

NE,NW,S32,T25N-R19E
 Town of Pittsfield
 Brown County



Tax Parcel #P1-561
NE, NW, S32, T25N - R19E
Town of Pittsfield
Brown County

MCShoe's Inc
N9351 Isaar Road
Seymour, WI 54165

Site Diagram

2007-06641-JLK (Figure 2 of 2)