

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 07 2019**

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER: Tailwaggers Doggy Daycare Development, Village of Bellevue (Wetland 2)/ 2019-00275-JLK

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Wisconsin County/parish/borough: Brown City: Bellevue

Center coordinates of site (lat/long in degree decimal format): Lat. 44.474353° N, Long. -87.989064° E.

Universal Transverse Mercator: Zone 16

Name of nearest waterbody: Unnamed Tributary of the East River

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

1. Waters of the U.S.: N/A

2. Non-regulated waters/wetlands (check if applicable):¹

- ☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: **The review area contains one aquatic resource (labeled as Wetland 2 on Figure) that is an isolated depression with no surface or shallow subsurface connection to the nearest tributary which is an unnamed tributary of the East River located approximately 265 feet to the south. This wetland does not border, neighbor, nor is contiguous with another water of the U.S. It is not separated from other waters of the United States (WOUS) by man-made dikes, barriers, or berms. The surrounding land use consists mostly of agricultural fields and undeveloped forested areas, precluding an ecological connection to a WOUS.**

This aquatic resource does not support a link to interstate foreign commerce; is not known to be used by interstate or foreign travelers for recreation or other purposes; does not produce fish or shellfish that could be taken and sold in interstate or foreign commerce; and is not known to be used for industrial purposes by industries in interstate commerce. Therefore, the Corps has determined this aquatic feature is not regulated by the Corps under Section 404 of the Clean Water Act.

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

¹ Supporting documentation is presented in Section III.F.

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 Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☒ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 - ☒ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- ☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain:
- ☐ Other (explain, if not covered above):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☒ Wetlands: Wetland 2: Totaling 0.02 acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☐ Wetlands: acres.

SECTION IV: DATA SOURCES.

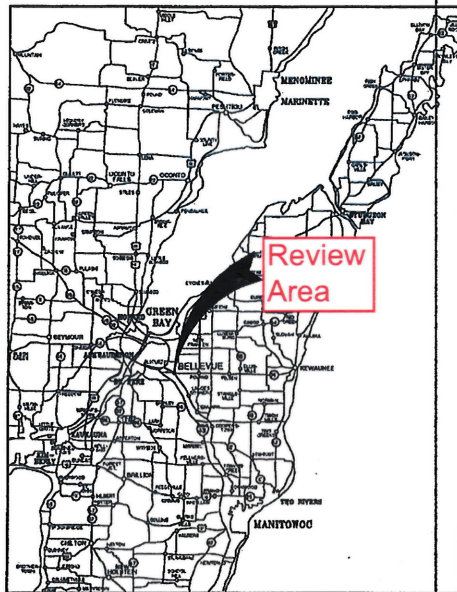
A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: NES Ecological Services Wetland Delineation 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:
- ☒ 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): 2019 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:

TAILWAGGERS DOGGY DAYCARE FOR FOX CITIES BUILDERS VILLAGE OF BELLEVUE, BROWN COUNTY, WISCONSIN

ATTENTION!
DOWNLOADED PLANS ARE NOT SCALEABLE. NEITHER THE
OWNER OR THE ENGINEER SHALL BE HELD RESPONSIBLE
FOR THE SCALE OR PRINT QUALITY OF DOWNLOADED PLANS.
ONLY PRINTED PLANS FROM BLUE PRINT SERVICE CO., INC.
SHALL BE CONSIDERED TO BE SCALEABLE PLANS.



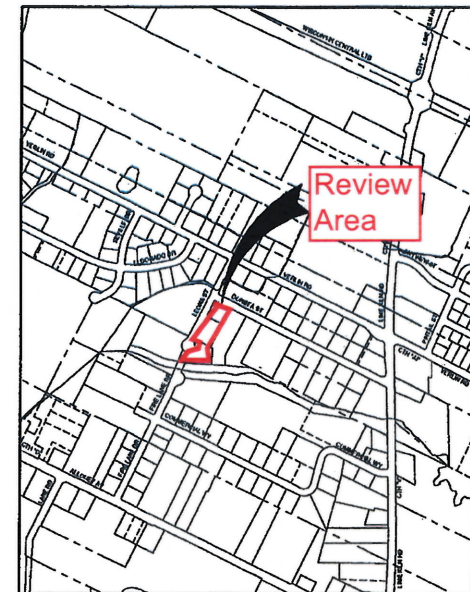
VICINITY MAP

NOTE:
EXISTING UTILITIES SHOWN ON PLANS ARE APPROXIMATE. THE CONTRACTOR SHALL BE
RESPONSIBLE FOR OBTAINING EXACT LOCATIONS AND ELEVATIONS OF ALL UTILITIES,
WHETHER SHOWN OR NOT, FROM THE OWNERS OF THE RESPECTIVE UTILITIES. ALL UTILITY
OWNERS SHALL BE NOTIFIED FOR LOCATES BY THE CONTRACTOR 72 HOURS PRIOR TO
EXCAVATIONS.

NOTE:
ALL EROSION CONTROL MEASURES SHALL
BE IN PLACE PRIOR TO CONSTRUCTION
AND SHALL CONFORM TO THE WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
CONSTRUCTION SITE EROSION CONTROL
AND TECHNICAL STANDARDS.

INDEX TO DRAWINGS

SHT. NO.	DESCRIPTION
1	LOCATION MAPS AND INDEX TO DRAWINGS
2	EXISTING SITE CONDITIONS
3	SITE PLAN
4	UTILITY PLAN
5	GRADING AND EROSION CONTROL PLAN
6	POND DETAILS
7	MISCELLANEOUS DETAILS
8	MISCELLANEOUS DETAILS
9	EROSION CONTROL - INLET PROTECTION TYPES A, B, C AND D AND MISCELLANEOUS DETAILS
10	EROSION CONTROL - INLET PROTECTION TYPE D-HR AND TYPE D-M
11	EROSION CONTROL - DITCH CHECK DETAILS
12	EROSION CONTROL - SHEET FLOW DETAILS
L1	LIGHTING PLAN
L2	LANDSCAPING PLAN



LOCATION MAP

NO.	DATE	APPROV.	REVISION	NO.	DATE	APPROV.	REVISION	DRAWN BY	TAILWAGGERS DOGGY DAYCARE FOR FOX CITIES BUILDERS VILLAGE OF BELLEVUE BROWN COUNTY, WISCONSIN	LOCATION MAP AND INDEX TO DRAWINGS	DATE SUBMIT FILE LAWYERS JOB NO. SHEET	Robert E. Lee & Associates, Inc. ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES 1250 CENTRAL DRIVE BOULEVARD ROBERT, WI 54155 920-822-9541 www.releeinc.com	SHEET NO. 1
								CHECKED AS DESIGNED BIC					



2019-00275-JLK (Figure 2 of 2)