

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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Horicon, WI, 53032

Tony Evers, Governor
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July 29, 2022

Jason Lueders
710 N Plankinton Ave
Milwaukee, WI 53203

EXE-SE-2022-52-02445

RE: Nonfederal Wetland Exemption Determination for an area described as Wetlands W-2, W-3, W-4, and W-5, located in the Village of CALEDONIA, Racine County.

Dear Mr. Lueders:

This letter is in response to your request for a nonfederal wetland exemption determination for the above mentioned wetlands.

According to 281.36 (4n), State Stat., a nonfederal wetland is a wetland that is not federally jurisdictional. Projects impacting nonfederal wetlands in urban areas must be less than 1 acre of total impact (s. 281.36(4n)(3b) 1, Wis. Stat.). In addition, DNR must also consider whether the nonfederal wetland is a rare and high quality wetland as defined in s 281.36(4n)(a)3, Wis. Stat.

The Department reviewed the following materials to aid in our exemption determination:

- The request narrative including project scope and purpose
- Site location map and photographs that show different angles and views of the wetland
- Botanical survey results
- Wetland delineation information
- Mitigation summary worksheet

Below is a summary of our findings:

Request Narrative

According to the request narrative the total wetland impacts will be 0.83 acres. The purpose of this project is to develop an industrial park.

Site Location and Photographs

The site location confirms that the wetland is in an urban area. Wetland photographs also show the wetlands to be heavily vegetated depressions and swales within a farmed field.

Botanical Survey

The botanical survey demonstrations that the wetlands are not rare and high quality wetlands.

Wetland Delineation Information

The wetland delineation shows the wetlands to be dominated by reed canary grass (*Phalaris arundinacea*), fall panic grass (*Panicum dichotomiflorum*), and rough cocklebur (*Xanthium strumarium*).

Stormwater Compliance Information

The documentation demonstrated that the project will be completed in compliance with applicable WPDES stormwater permits and stormwater ordinances adopted under s. 59.693, 60.627, 61.354, or 62.234, Wis. Stats.

Mitigation Summary Worksheet

The mitigation summary worksheet indicates that mitigation is required pursuant to s. 281.36(3r), Wis. Stat. The worksheet indicates that 0.87 credit acres of wetland mitigation were purchased from the Wisconsin Wetland Conservation Trust on July 29, 2022, to satisfy mitigation requirements.

Conclusion:

ELIGIBLE

Based upon the documentation provided above, the project meets the eligibility criteria pursuant to s. 281.36 (4n), State Stat., and applicable mitigation requirements have been satisfied. You are able to proceed with this project. If you have any questions or would like to schedule a meeting to discuss this approval, please call me at (920) 296-6507 or email marty.dillenburg@wisconsin.gov

Sincerely,



Marty Dillenburg
Water Management Specialist

Copy to: Michael Garner, Pinnacle Engineering
Joey Shoemaker, US Army Corps of Engineers
Chris Jors, Sr. Specialist-Biologist, SEWRPC
Peter Wagner, Development Director, Village of Caledonia

