Tony Evers, Governor

Telephone 608-266-2621 Toll Free 1-888-936-7463 TTY Access via relay - 711



EXE-NE-2024-71-01040

April 25, 2024

Derek Liebhauser 2065 American Drive Suite A Neenah, WI 54956 [sent electronically]

RE: Nonfederal Wetland Exemption Determination for an area described as Wetland 2 located in the Town of Clayton, Winnebago County

Dear Mr. Liebhauser:

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

According to 281.36 (4n), Wis. Stats., a nonfederal urban 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 per parcel. Mitigation will be required for impacts greater than 10,000 sq ft up to 1 acre. The applicant must have a nonfederal jurisdictional determination from the Army Corps of Engineers along with a map of the wetland(s) involved. In addition, DNR must also consider whether the nonfederal wetland is a rare and high quality wetland as defined in s 281.36(4n), 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
- Previous WDNR Permit information
- Army Corps of Engineers Determination

Below is a summary of our findings:

Request Narrative

According to the request narrative the total wetland impacts will be 8987 SF. The purpose of this project is the site is proposed to be developed into a residential lot. The lot is located within one-half mile of an urban area qualifying for the urban exemption.

Site Location and Photographs

The site location confirms that the wetland is located in an urban area.

Botanical Survey

The botanical survey demonstrations that the wetland is not a rare and high-quality wetland.

Wetland Delineation Information

The wetland delineation shows this area is classified as ruderal wet meadow, not classified as high quality, and the dominant vegetation observed in the wetland area as an *Amaranthus spp*.

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.

Conclusion:

Based upon the documentation provided above, the project meets the eligibility criteria pursuant to s. 281.36 (4n), State Stat. 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) 718-0890 or email <u>eric.stadig@wisconsin.gov</u>.

Sincerely,

Eric Stadig Water Management Specialist

Email CC:

Ryan Huber, USACOE Project Manager Winnebago County Zoning Administrator Joshua Voelker, WDNR Conservation Warden Kyle Ziolek, McMahon Associates (contractor) Waterway/Wetland File

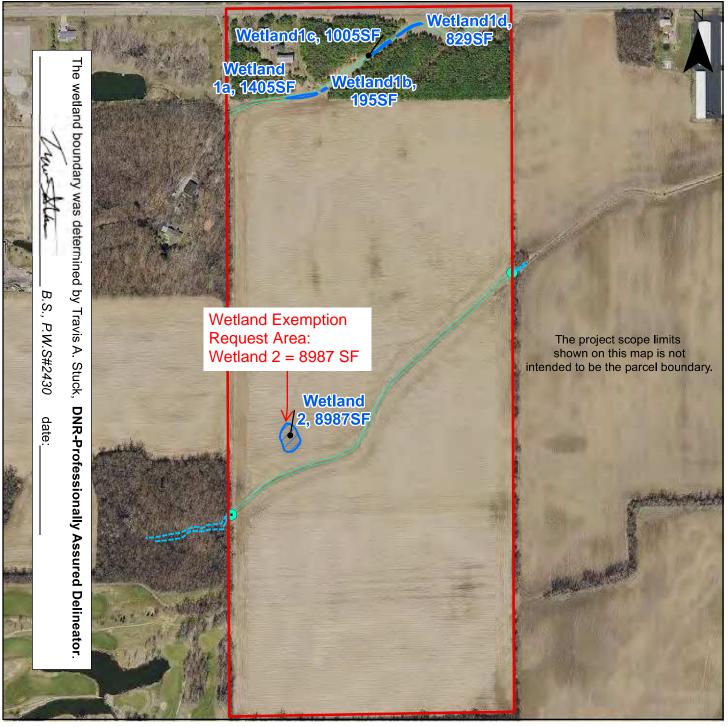
Wetland Delineation Overview Map

Farrel Land

Part of Sec. 24, T20N, R16E, Town of Clayton, Winnebago County, WI

For: Grounded Property Group, LLC

Spring 2020



0 112.5225 450 675 900 1 inch = 450 feet



Legend



ProjectScope

/// W

Wetland Boundary

---- Approximate Offsite Wetland Boundary

— Approximate Tile Location

