



September 30, 2019

EXE-NE-2019-5-03181

Village of Suamico
12781 Velp Ave.
Green Bay, WI 54313

RE: Artificial Wetland Exemption Determination for an area described as Wetland 1 (0.03 acres), located in the SW1/4 of the NW1/4 of Section 23, Township 25 North, Range 20 East, Village of Suamico, Brown County

Dear Sir or Madam:

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

According to 281.36 (4n), State Statutes, a landscape feature where hydrophytic vegetation may be present as a result of human modification to the landscape or hydrology and for which no definitive evidence exists showing a prior wetland or stream history before August 1, 1991, may be exempt from state wetland regulations. The following types of artificial wetlands cannot be exempted from state wetland regulation: 1) a wetland that serves as a fish spawning area or that is passage to a fish spawning area and 2) a wetland created as a result of a wetland mitigation requirement. In addition, DNR must also consider whether the artificial wetland is providing significant flood protection to adjacent or downstream properties and infrastructure, and/or significant water quality functions to adjacent or downstream water bodies.

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

- The request narrative
- Historic Maps, including the Original Land Survey Plat, Bordner Survey, the historic USGS topographic Quad map, and soil mapping.
- Aerial photographs, including the 1937/8 era photograph, a pre-construction photograph, and a post-construction photograph.
- Site photographs that show different angles and views of the wetland

Below is a summary of our findings:

Request Narrative

According to the request narrative, wetland 1 is located within an excavated roadside ditch which has been excavated in upland soils. Aerial photos were reviewed and in 1938 the site was cropland. The site was likely filled/graded during adjacent roadside construction between 1960 and 1978. Additional fill may have been placed across most of the site in 1997. Trees were cut and fill was placed in part of the sight between 2017 & 2018.

Conclusion:

Based upon the information provided above, the wetland identified as Wetland 1, lacked a wetland history prior to August 1, 1991, and fulfills all artificial wetland exemption standards. Therefore, Wetland 1 is exempt from state wetland regulations.

This letter describes DNR's decision regarding the jurisdictional status of Wetland 1 and is only valid for state jurisdictional purposes. For decisions regarding the federal jurisdictional status of Wetland 1, you will need to contact the U.S. Army Corps of Engineers. The U.S. Army Corps of Engineers contact for Brown County is Jessica Kempke. Jessica Kempke can be reached at (651) 290-5856.

If you have any questions about this determination, please contact me at (920) 420-1528 or email sarah.adkins@wisconsin.gov.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Adkins".

Sarah Adkins
Wetland Exemption Specialist

cc: Jessica Kempke, U.S. Army Corps of Engineers
Shyann Banker, Evergreen Consultants, LLC