

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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July 14, 2026

Joseph Grasch
W284 N3234 Lakeside Road
Pewaukee, WI 53072

EXE-SE-2026-68-02014

RE: Artificial Wetland Exemption Determination for **Wetlands 1 and 2** in the City of Waukesha, Waukesha County

Dear Mr. Grasch,

The Department has completed your request for an artificial wetland exemption determination for **Wetlands 1 and 2**.

According to s. 281.36 (4n), Wis. Stats., 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, the Department also evaluated whether the wetlands are providing significant flood protection to adjacent or downstream properties and infrastructure, and providing significant water quality functions to adjacent or downstream water bodies.

The Department reviewed the following materials during its exemption determination, and the results of the review are explained below:

1. The request narrative
2. Site location map and photos showing various viewpoints in the wetlands
3. Historic Maps such as the Original Land Survey Plat, Bordner Survey, USGS topographic Quad map from 1892 and soil maps.
4. Aerial photos, including the 1937/8 era photo, a pre-construction photo, and a post-construction photo.

REQUEST NARRATIVE

According to the request narrative, the applicant is requesting an artificial wetland exemption determination on **Wetlands 1** (990 square feet/0.02 acres) and **2** (8,577 square feet/0.20 acres). The narrative states that it is believed that **Wetlands 1 and 2** were artificially created as a result of grading, excavation, and site alteration from 2000 to 2005.

HISTORIC MAPS

- **Original Land Survey Plat.** The original land survey maps the areas of **Wetlands 1 and 2** as wetland.
- **Bordner Survey.** The Bordner survey maps **Wetlands 1 and 2** as cleared crop land.
- **USGS Topo Quad map.** The 1892-present USGS Quad maps show no wetlands present in the areas of **Wetlands 1 and 2**.
- **Soil Maps.** The 1971 and current soil maps show that **Wetland 1** has mapped Houghton muck (7009A/HtA), 0 to 2 percent slopes and that **Wetland 2** has mapped Houghton muck (7009A/HtA), 0 to 2 percent slopes and Palms muck (7021A/Pa), 0 to 2 percent slopes. Houghton muck and Palms muck are both classified as hydric soil.

AERIAL PHOTOS

- **1937/1938 Aerial Photo.** The 1937/38 photo shows a cropped agricultural field with soil darkness/wetness in the areas of **Wetlands 1 and 2**.
- **Pre-construction Photos.**
 - The 1941 aerial photo shows a cropped agricultural field with soil wetness/darkness in the areas of **Wetlands 1 and 2**.
 - The 1950 aerial photo shows a cropped agricultural field with soil wetness/darkness and a drain tile signature in the areas of **Wetlands 1 and 2**.
 - The 1963 aerial photo shows a cropped agricultural field with soil wetness/darkness in the areas of **Wetlands 1 and 2**.
 - The 1970 aerial photo shows a cropped agricultural field with soil wetness/darkness and an altered vegetation pattern in the areas of **Wetlands 1 and 2**.
 - The 1980 aerial photo shows a cropped agricultural field with soil wetness/darkness and a drain tile signature in the areas of **Wetlands 1 and 2**.
 - The 1990 aerial photo shows a field with soil wetness/darkness, and an altered vegetation pattern when compared to previous years in the areas of **Wetlands 1 and 2**.
 - Soil darkness/wetness, drain tile signatures, and altered vegetation pattern are wetland signatures.
- **Post-construction Photo.** Aerials after 1990 show conditions similar to what is present today with a drainage feature just north of Coral Drive and a drainage way connecting **Wetlands 1 and 2**.

CURRENT SITE PHOTOS

Photos from the wetland delineation report show that **Wetland 1** is an area with standing water surrounded by herbaceous, shrub, and tree-like vegetation and that **Wetland 2** is an area with herbaceous, shrub, and tree-like vegetation.

CONCLUSION

Based on the information reviewed above, **Wetlands 1 and 2** had a wetland history prior to August 1, 1991, and **is not exempt** from state wetland regulations.

This letter describes the Department's decision regarding the jurisdictional status of **Wetlands 1 and 2** and is only valid for state jurisdictional purposes. For decisions regarding the federal jurisdictional status of **Wetlands 1 and 2**, please contact the U.S. Army Corps of Engineers.

If you have any questions, please contact me at (414) 531-0305 or at francesca.sanchez@wisconsin.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Francesca Sanchez', with a stylized flourish at the end.

Francesca Sanchez
Water Management Specialist

Email CC:

Timothy Orlowski, USACE Project Manager
Charlie Griffith, City of Waukesha Senior Planner
Timothy Aspenson, WDNR Conservation Warden
Erica Pergande, raSmith
Travis Schroeder, WDNR Waterway Field Supervisor
Allison Willman, WDNR Wetland Exemption Expert

Wetlands 1 and 2 (within green polygons), subjects of this artificial wetland exemption determination

