



Joe Parisi
Dane County Executive

Dane County Planning & Development

Division of Zoning

October 29, 2020

Dane County Zoning Administrator
Roger Lane
210 Martin Luther King Jr Blvd RM 116
Madison WI 53703

RE: Navigability Determination –23, Town of Burke
Parcel 0810-234-8000-5

On your behalf, a navigability determination for an intermittent stream located at 5365 Reiner Road in Section 23 of the Town of Burke was made.

Before conducting the site inspection, the County G.I.S., aerial photography, and the Wisconsin Surface Water Data Viewer were used to determine the categorization of this waterway. The maps show that there is an intermittent stream. For portions of this stream an apparent meander is present in the aerial photos. An intermittent stream is one that has a periodic or recurrent flow. Upstream navigability determinations were also used in determining the need for an additional determination.

A site inspection was conducted on October 29, 2020. The weather was overcast at the time of the visit. Weather had been dry for approximately 1 week following rainstorms earlier in the month.

The inspection began at the outfall of the stream at the property at 5337 Reiner Road and proceeded to the west. In this reach flowing water was observed with a depth of approximately 1 foot with a defined bed and bank 3 to 4 feet in width. Channelization continued downstream to a point north and west where the water dissipated in to a wetland.

The path of the water flow was followed to a culvert under a gravel park path in the Town of Burke Park. The water flow continued out of the culvert, through the wetland and drained to a pond located east of the railroad. The pond contained an outfall structure into additional culverts under a different portion of the gravel park pathway. These culverts spilled into a waterway with a defined bed and bank and flowing water which was drained by a culvert located underneath the railroad.

On the west side of the railroad the culverts drained to a waterway with a defined bed and bank and flowing water that opened into pond areas. The waterway continued to transition between pond, stream, and wetland areas. This continued to a point of intersection with Felland Road.

It was observed that the waterway crosses under Felland Road where it turns south and crosses under Burke Road. After reviewing the Wisconsin Surface Water Data it appears that this

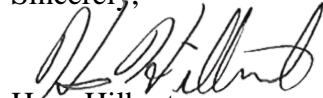
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waterway continues in a similar fashion south and eventually combines with other waterways feeding the East Branch of Starkweather Creek.

After further review of the intermittent stream, Dane County Zoning has determined within the defined bed and bank and evident high water mark, the waterway is navigable. Combined with two previous navigability determinations dated September 6, 2012 and September 24, 2019, respectively, for upstream portions of this waterway, it is determined that this intermittent stream is navigable from a point immediately downstream of the intersection with Thorson Rd and continuing as navigable completely downstream.

This letter serves as notice that any lands falling within 300 feet of the ordinary high water mark of the navigable portion of this stream are within the Shoreland Zoning District as defined under Chapter 11, Dane County Code of Ordinances and subject to shoreland regulations. In addition, many areas adjacent to this waterway contain wetlands. These areas are subject to wetland regulations as contained in Chapter 11, Dane County Code of Ordinances.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hans Hilbert', is written over the printed name.

Hans Hilbert

Assistant Zoning Administrator

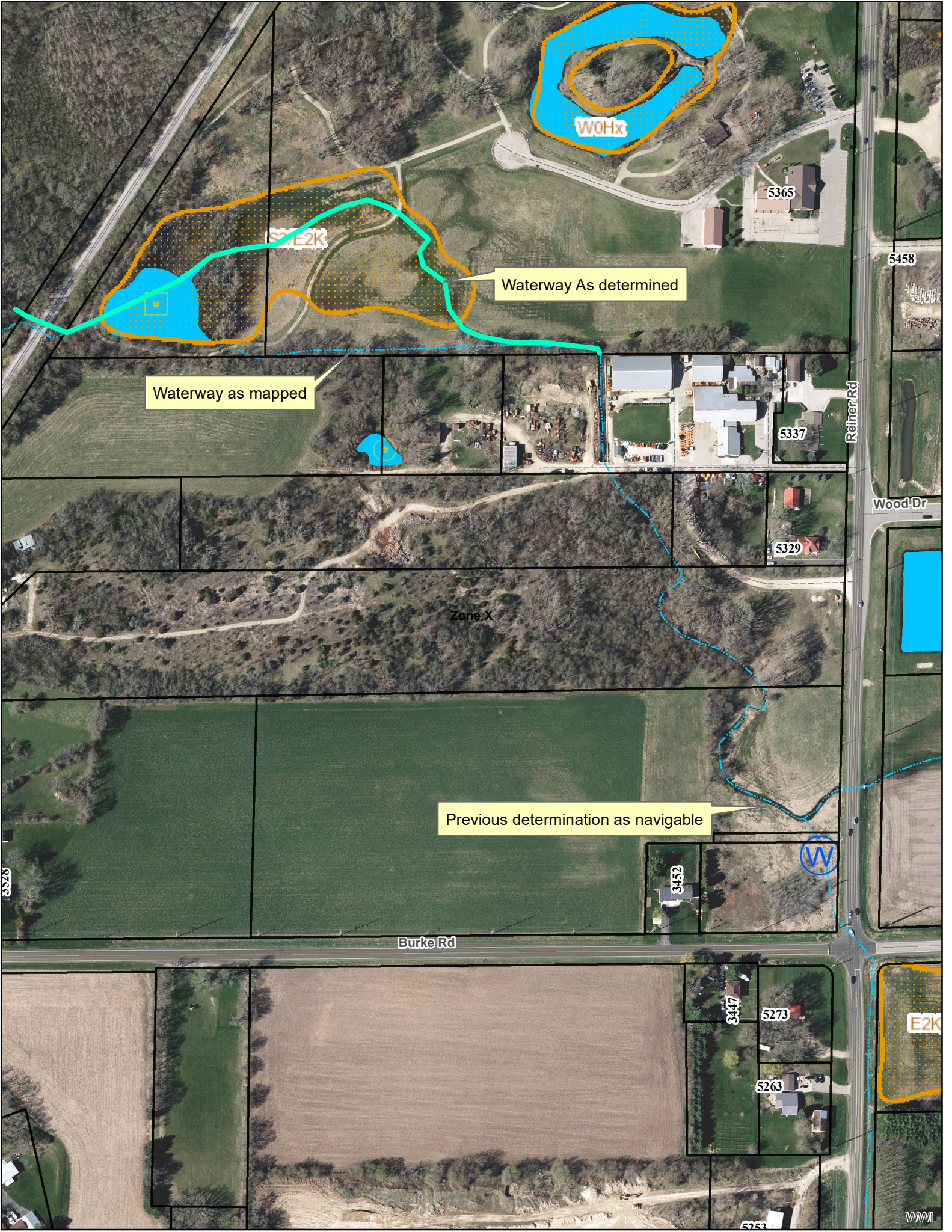
Attachment(s):

Map depicting approximate location of streamflow

Overview of navigable portion of waterway

Cc:

Land & Water Resources



Waterway As determined

Waterway as mapped

Previous determination as navigable

Zone X

Burke Rd

Reiner Rd

Wood Dr

5458

5365

5337

5329

3452

5273

5263

5253

E2K

WWI

