



November 8, 2018

INF-SC-2018-13-03989

Terry Kalscheur
6360 Woodland Drive
Waunakee, WI 53597

RE: Request for Navigability Determination, for a tributary to Brandenburg Lake, located in the SE quarter of Section 6, Township 8 North, Range 8 East, Town of Springfield, Dane County.

Dear Mr. Kalscheur:

I visited this site on November 6th, 2018 with you and Mr. Carrico. We walked the mapped waterway from Highway 12, SW towards Brandenburg Lake. The waterway is a wide and shallow vegetated swale dominated by reed canary grass. In Wisconsin, the Supreme Court has defined a navigable waterway as one which has a defined bed and banks and carries enough water to float a canoe or other watercraft during the spring high water periods. Based on this definition and the conditions observed at your site, the stream on your property has been determined to NOT be navigable/public.

Chapter 30, Wis. Stats., permits are not needed for work in and near this waterway. Certain activities may require authorization from the Army Corps of Engineers or Dane County and you should contact those agencies before beginning any construction at this site.

If you have any questions, please call me at (608) 275-3481 or email wendy.peich@wisconsin.gov.

Sincerely,

Wendy Peich
Water Management Specialist

cc: Kerrie Hauser, Project Manager, (651) 290-5903, U.S. Army Corps of Engineers
County Zoning Administrator
Conservation Warden