

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 11/30/2015

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, JD Multi Use Path Project, LRC-2015-628

C. PROJECT LOCATION AND BACKGROUND INFORMATION: A 141-acre project area located north of Airport Road, south of Carillon Drive, east of Interstate 55, and west of Weber Road (Sections 6 and 7, T36N, R10E)

State: **Illinois** County/parish/borough: **Will** City: **Romeoville**
Center coordinates of site (lat/long in degree decimal format): **Lat. 41.622350°N, Long. -88.141610° W**
Universal Transverse Mercator: **Zone 16; Y: 4608476.92442244; X: 404896.865598633**

Name of nearest waterbody: **Mink Creek**

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: **None**

Name of watershed or Hydrologic Unit Code (HUC): **Des Plaines (07120004)**

Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: **11/5/2015**

Field Determination. Date(s): **11/3/2015**

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are no** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

2. Non-regulated waters/wetlands (check if applicable):¹

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: Eight wetland areas were delineated within the review area.

- **Wetland 1 (0.03 acres) is an emergent wetland area located near the southwestern property boundary.**
- **Wetland 2 (1.40 acres) is a farmed wetland area located near the southwestern property boundary.**
- **Wetland 3 (0.71 acres) is an emergent wetland area located near the northern portion of the subject site, north of Lakewood Falls Drive.**
- **Wetland 4 (0.89 acres) is an emergent wetland area in the north-central part that was previously farmed, but did not appear to have been in the recent past.**
- **Wetland 5 (0.06 acres) is an emergent wetland area located within a pipeline right-of-way along the western property boundary in the northern portion of the project area.**
- **Wetland 6 (2.09 acres) is located in the northwestern corner of the project area and consists of an emergent wetland area.**
- **Wetland 8 (5.24 acres) is located in the northeastern corner of the project area and consists of an emergent wetland area.**
- **Wetland 9 (0.75 acres) is located in the northeastern portion of the project area and consists of an emergent wetland area.**

Note that Wetland 7 is a wetland that was identified during the delineation but it is outside of the review area; therefore, no jurisdictional determination is being made on this one.

All 8 wetlands were found to be depressional areas with no outlet to a downstream water. They are isolated in the landscape in that they are surrounded by upland and are located approximately 4,800 feet from the nearest tributary.

SECTION III: CWA ANALYSIS

¹ Supporting documentation is presented in Section III.F.

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):²

- which are or could be used by interstate or foreign travelers for recreational or other purposes.
- from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- which are or could be used for industrial purposes by industries in interstate commerce.
- Interstate isolated waters. Explain: .
- Other factors. Explain: .

Identify water body and summarize rationale supporting determination:

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: linear feet width (ft).
- Other non-wetland waters: acres.
Identify type(s) of waters: .
- Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 - Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
- Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- Lakes/ponds: acres.
- Other non-wetland waters: acres. List type of aquatic resource: .
- Wetlands: **Total acreage: 10.45 acres.**

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
- Lakes/ponds: acres.
- Other non-wetland waters: acres. List type of aquatic resource: .
- Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

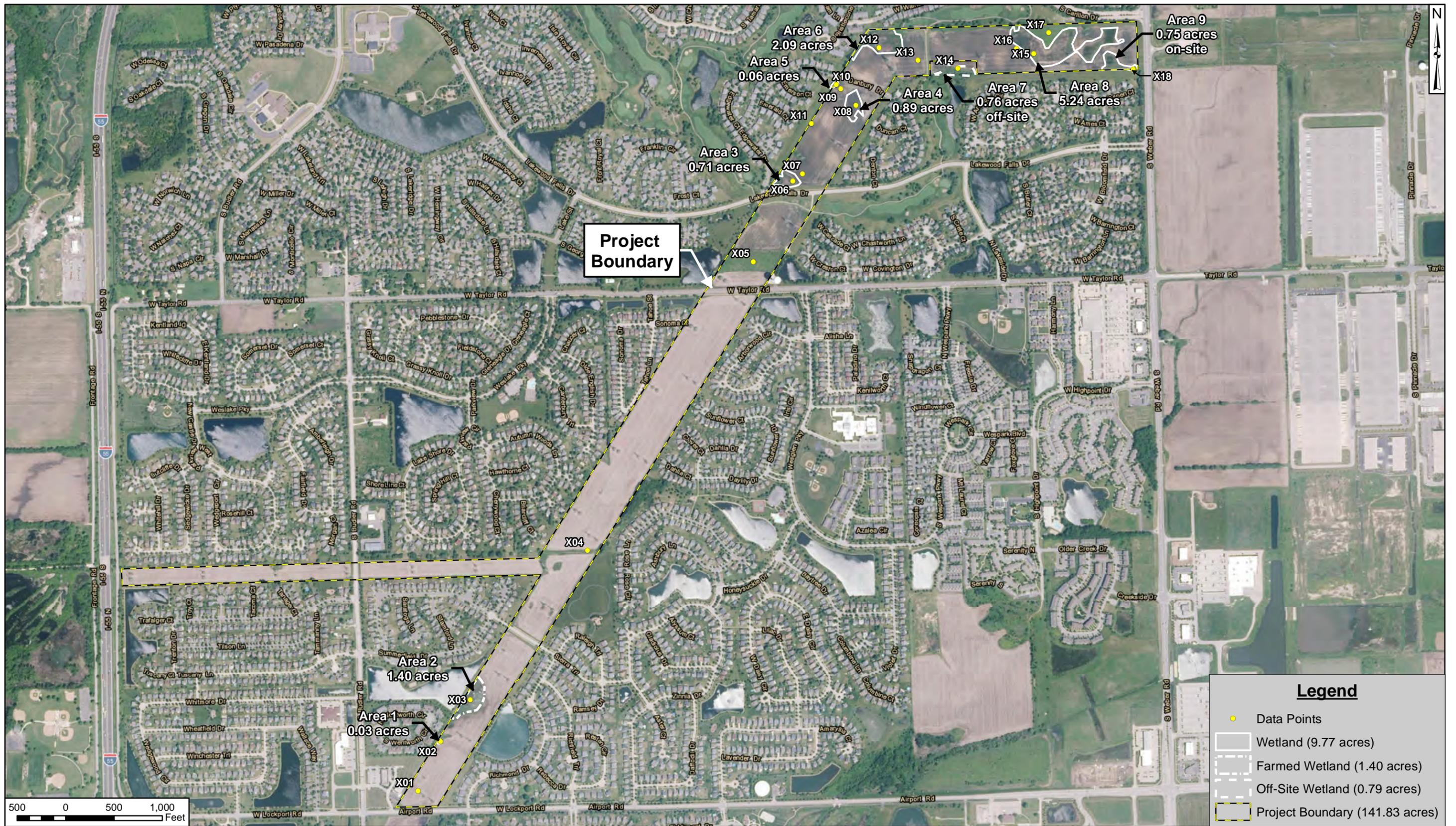
- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: **V3 Companies.**
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report. **Delineation report dated June 11, 2015 and updated November 4, 2015.**
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps: .
- Corps navigable waters' study: .
- U.S. Geological Survey Hydrologic Atlas: **Normantown HA 210, 1966, , Plainfield HA 228, 1966.**
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: **Plainfield 7.5", 1993,, Normantown, IL Quadrangle.**
- USDA Natural Resources Conservation Service Soil Survey. Citation: **NRCS Web Soil Survey.**
- National wetlands inventory map(s). Cite name: **Normantown, Plainfield.**
- State/Local wetland inventory map(s): **Pick List,** .
- FEMA/FIRM maps:
 - 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): **Aerial views provided in the delineation report.**
or Other (Name & Date): **Site photos included in the delineation report.**
- Previous determination(s). File no. and date of response letter: .

² Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify): **Site visit dated 11/2/2015.**

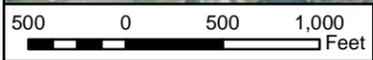
B. ADDITIONAL COMMENTS TO SUPPORT JD:

- Area(s) are geographically isolated.
- Area(s) do not have a hydrologic nexus.
- Area(s) do not have an ecological nexus.
- Area(s) do not have evidence of a subsurface flow connection to a jurisdictional water.
- Area(s) do not have evidence of surface overland sheet flow.
- Area(s) are not located within the flood plain.



Project Boundary

Legend	
	Data Points
	Wetland (9.77 acres)
	Farmed Wetland (1.40 acres)
	Off-Site Wetland (0.79 acres)
	Project Boundary (141.83 acres)



<p>V3 Companies, Ltd. 7325 Janes Avenue Woodridge, Illinois 60517 630.724.9200 phone 630.724.9202 fax www.v3co.com</p> <p>Visio, Vertere, Virtute... "The Vision To Transform With Excellence"</p>	PROJECT NO.: 15047	CLIENT: Village of Romeoville and Robinson Engineering	SITE: Proposed Multi-Use Path Project ComEd Right-of-Way Romeoville, Illinois	TITLE: WETLAND DELINEATION MAP	FIGURE: 7	
	CREATED BY: AMM	BASE LAYER: NAIP Aerial Imagery (2014)				
	DATE: 11/10/15	SCALE: See Scale Bar				