SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 8/17/10
B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, Kankakee River, LRC-2008-340
C. PROJECT LOCATION AND BACKGROUND INFORMATION: Kankakee River within the Chicago District
   State: Illinois    County: Will    City: Wilmington, Lakewood Shores
   Center coordinates of site (lat/long in degree decimal format): Lat. 41.2948068 ° N, Long. 88.1548750 ° W.
   Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Kankakee River
   Name of watershed or Hydrologic Unit Code (HUC): Kankakee (07120001)
   ☑ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
D. REVIEW PERFORMED FOR SITE EVALUATION: Office (Desk) Determination. Date: 8/3/2010

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.
   There are "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.
      ☑ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.
   There are "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.
   1. Waters of the U.S.
      a. Indicate presence of waters of U.S. in review area: ☑ TNWs, including territorial seas
      b. Identify (estimate) size of waters of the U.S. in the review area:
         Non-wetland waters: 105970 linear feet: width (ft) and/or acres.
         Elevation of established OHWM (if known): Established by OHWM.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs
   The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete
   Section III.A.1 and Section III.D.1 only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2
   and Section III.D.1.; otherwise, see Section III.B below.
   1. TNW
      Identify TNW: Kankakee River.
      Summarize rationale supporting determination: The Kankakee River is defined as a navigable waterway in People of State of Ill.

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL
   THAT APPLY):
   1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area:
       ☑ TNWs: 105970 linear feet width (ft), Or, 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: See Below.
      ☑ Corps navigable waters’ study: .
      ☑ USGS 8 and 12 digit HUC maps: .
      ☑ FEMA/FIRM maps: .
      ☑ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
      ☑ Photographs: ☑ Aerial (Name & Date): , or ☑ Other (Name & Date): .
      ☑ Previous determination(s). File no. and date of response letter: multiple.
      ☑ Other information (please specify): .
APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

JD Status: DRAFT

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JDD): 18-Aug-2010

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, LRC-0010-00519-J01

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: IL - Illinois
County/parish/borough: Lake
City: |
Lat: 42.15585
Long: -86.152
Universal Transverse Mercator: Folder UTM List
UTM (or determined by folder location)
- NAD83 UTM zone 16N
Waters UTM List
UTM (or determined by waters location

Name of nearest waterbody:
Name of nearest Traditional Navigable Water (TNW):
Name of watershed or Hydrologic Unit Code (HUC):

Check if map/figure 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 the action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION:

Office Determination Date: 19-Aug-2010
Field Determination Date(s): 17-Aug-2010

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION

There [ ] "Navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 320) in the review area.
Waters subject to the ebb and flow of the tide
Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

Explain:

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There [ ] "Waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

1. Waters of the U.S.
   a. Indicate presence of waters of U.S. in review area:
      - Water Name: [ ]
      - Water Type(s): Present
      - Tributary...Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
      - Wetland...Wetlands directly abutting RPWs that flow directly or indirectly into TNWs

   b. Identify (estimate) size of waters of the U.S. in the review area:
      - Area: [ ]
      - Linear: [ ]

   c. Limits (boundaries) of jurisdiction:
      - based on: [ ]
      - OHWM Elevation: (if known)

2. Non-regulated waters/wetlands:
   - Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain:

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. TNW
   - Not Applicable.

2. Wetland Adjacent to TNW
   - Not Applicable.

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

1. Characteristics of non-TNWs that flow directly or indirectly into TNW
   a. General Area Conditions:
      - Watershed size: [ ]
      - Drainage area: [ ]
      - Average annual rainfall: inches
      - Average annual snowfall: inches

   b. Physical Characteristics
      - Relationship with TNW:

8/19/2010
Tributary flows directly into TNW.
Tributary flows through () tributaries before entering TNW.

Number of tributaries

Project waters are () river miles from TNW.
Project waters are () river miles from RPW.
Project Waters are () aerial (straight) miles from TNW.
Project waters are () aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries.
Explain:
Identify flow route to TNW.

Tributary Stream Order, if known:
Order Tributary Name
2

(b) General Tributary Characteristics:
Tributary:
Tributary Name Natural Artificial Explain Manipulated Explain
Drainage ways cut straight to improve drainage.

Tributary properties with respect to top of bank (estimate):

Tributary Name Width (ft) Depth (ft) Sisal Slopes
Tributary 2 4 2.1

Primary tributary substrate composition:
Tributary Name Silt Sands Concrete Cobble Gravel Muck Bedrock Vegetation Other
Tributary X X

Tributary (conditions, stability, presence, geometry, gradient):
Tributary Name Condition/Stability Run/Pool Complexes Geometry Gradient (%)
Tributary Steep but stable banks due to vegetation. Absent Relatively straight 1

(c) Flow:
Tributary Name Provides for 20 (or greater) Flow Regime Duration & Volume
Tributary Tributary flows almost year-round.

Surface Flow:
Tributary Name Surface Flow Characteristics
Tributary Discrete and confined Steep sided straight channel contains flow

Subsurface Flow:
Tributary Name Subsurface Flow Explain Findings Dye (or other) Test
Tributary Unknown

Tributary has:
Tributary Name Bed & Banks OHWM OHWM Explain
Tributary Discontinuous OHWM

Tributaries with OHWM (as indicated above):
Tributary Name OHWM Clear Litter Changes in Soil Destruction Vegetation Shalving Wrack Line Meted/Absent Vegetation Sediment Sorting Leaf Litter Scour Sediment Disposition Flow Events Wat
Tributary X

if factors other than the OHWM were used to determine lateral extent of CWA jurisdiction:

High Tide Line indicated by:
No Applicable.

Mean High Water Mark indicated by:
No Applicable.

(iii) Chemical Characteristics:
Characterize tributary (e.g., water color is clear, discolored, oily film; water quality: general watershed characteristics, etc.).
Tributary Name Explain Identify specific pollutants, if known
Tributary Water is cloudy. Road salts and silts.

(iv) Biological Characteristics. Channel supports:
Tributary Name Riparian Corridor Characteristics Wetland Fringe Characteristics Habitat
Tributary

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(l) Physical Characteristics:
(a) General Wetland Characteristics:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Size (Acres)</th>
<th>Wetland Type</th>
<th>Wetland Quality</th>
<th>Cross or Serve as State Boundaries</th>
<th>Explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>1.43</td>
<td>Emergent and shrub wetland</td>
<td>Low</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

(b) General Flow Relationship with Non-TNW:

Flow is:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Flow</th>
<th>Explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>Perennial flow</td>
<td>-</td>
</tr>
</tbody>
</table>

Surface flow is:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Flow</th>
<th>Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>Overland sheetflow</td>
<td>Water coming into wetland spreads out before reforming channel at outlet</td>
</tr>
</tbody>
</table>

Subsurface flow:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Subsurface Flow</th>
<th>Explain Findings</th>
<th>Dye (or other) Test</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>Unknown</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

(c) Wetland Adjacency Determination with Non-TNW:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Directly Adjutting</th>
<th>Discrete Wetland</th>
<th>Hydrologic Connection</th>
<th>Ecological Connection</th>
<th>Separated by Berm/Barrier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>Yes</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

(d) Proximity (Relationship) to TNW:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>River Miles From TNW</th>
<th>Aerial Miles From TNW</th>
<th>Flow Direction</th>
<th>Within Floodplain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>5-10</td>
<td>5-10</td>
<td>Wetland to navigable waters</td>
<td>50 - 100 year</td>
</tr>
</tbody>
</table>

(ii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Explain</th>
<th>Identify specific pollutants, if known</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>-</td>
<td>Road salts and silt</td>
</tr>
</tbody>
</table>

(iii) Biological Characteristics. Wetland supports:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Riparian Buffer</th>
<th>Characteristics</th>
<th>Vegetation</th>
<th>Explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Habitat for:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Habitat</th>
<th>Federally Listed Species</th>
<th>Explain Findings</th>
<th>Spawn Area</th>
<th>Explain Findings</th>
<th>Other Environmentally Sensitive Species</th>
<th>Aquatic/Wildlife Diversity</th>
<th>Explain Ideal Habitat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>X</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>X</td>
<td>Large diverse wetland sur.</td>
</tr>
</tbody>
</table>

3. Characteristics of all wetlands adjacent to the tributary (if any):

All wetlands being considered in the cumulative analysis:

Not Applicable.

Summarize overall biological, chemical and physical functions being performed:

Not Applicable.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they sign chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific (e.g., between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of sig.

Significant Nexus: Not Applicable.

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE:

1. TNWs and Adjacent Wetlands:

Not Applicable.

2. RFWs that flow directly or indirectly into TNWs:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Flow</th>
<th>Explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tributary</td>
<td>PERENNIAL</td>
<td>Tributary takes water from off-site, flows through wetland and continues on to Flint Creek</td>
</tr>
</tbody>
</table>

Provide estimates for jurisdictional waters in the review area:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Type</th>
<th>Size (Linear) (m)</th>
<th>Size (Area) (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tributary</td>
<td>Relatively Permanent Waters (RFPWs) that flow directly or indirectly into TNWs</td>
<td>-</td>
<td>145.686616</td>
</tr>
<tr>
<td>Total</td>
<td>-</td>
<td>145.686616</td>
<td></td>
</tr>
</tbody>
</table>

3. Non-RFPWs that flow directly or indirectly into TNWs:

Not Applicable.
Provide estimates for jurisdictional waters in the review area:

Not Applicable.

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Flow Source</th>
<th>Wetland Type</th>
<th>Size (Linear) (m)</th>
<th>Size (Area) (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>Flow</td>
<td>PERENNIAL</td>
<td>-</td>
<td>5787.0000</td>
</tr>
</tbody>
</table>

Provide acreage estimates for jurisdictional wetlands in the review area:

Not Applicable.

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs:

Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area:

Not Applicable.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs:

Not Applicable.

Provide estimates for jurisdictional wetlands in the review area:

Not Applicable.

7. Impoundments of jurisdictional waters:

Not Applicable.

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR RESTRICTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING KEY WATERS and ISOLATED WATERS:

Not Applicable.

Identify water body and summarize rationale supporting determination:

Not Applicable.

Provide estimates for jurisdictional waters in the review area:

Not Applicable.

F. NON-JURISDICTIONAL WATERS INCLUDING WETLANDS:

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 wetlands 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):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (e.g., presence of migratory birds, presence of endangered or threatened species, irrigation, agriculture), using best professional judgment:

Not Applicable.

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:

Not Applicable.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA: Data reviewed for JD

<table>
<thead>
<tr>
<th>Data Reviewed</th>
<th>Source Label</th>
<th>Source Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- Data sheets prepared submitted by or on behalf of the applicant/consultant</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- Office concurs with data sheets/delineation report</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- U.S. Geological Survey Hydrologic Atlas</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- U.S. Geological Survey map(s)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- USDA Natural Resources Conservation Service Soil Survey</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- National wetlands inventory map(s)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- State/Local wetland inventory map(s)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- FEMA/FIRM maps</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- Photographs</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- Aerial</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- Other</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- Applicable/supporting case law</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>- Other information</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

B. ADDITIONAL COMMENTS TO SUPPORT JD:

Site visit on 8/17/10 confirmed wetland boundary.

---

1. Boxes checked below shall be completed by comparing the jurisdictional sections in Section III below.

2. For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow of at least seasonally (e.g., typically 3 months).
Supporting documentation is presented in Section 1.1.1.

1. Note that the IHM Guidebook contains additional information regarding bridges, ditches, basins, and emesis features generally and in the Red River Valley.

2. Flow route can be described by anything, e.g., tributary a, which flows through the review area, to Town b, which then flows into Town c.

3. A natural or man-made disconnection in the CHRM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the CHRM has been removed by development or agricultural practices). Where there is a break in the stream's flow regime (e.g., flow from a rock outcrop or through a culvert), the agencies will look for indications of flow above and below the break.

4. Ibid.

5. See Footnote #2

6. To compare the analysis refer to the key in Section III.2.8 of the IHM Guidebook.

7. Prior to asserting or declining CHRM 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 CHRM Jurisdiction.
SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 04-Aug-2010

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, LRC-2010-01020-JD1

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

- **State:** IL - Illinois
- **County/parish/borough:** McHenry
- **City:** Crystal Lake
- **Lat:** 42.23016
- **Long:** -88.38095
- **Universal Transverse Mercator (UTM) Coordinates:**
  - UTM easting/determined by location
  - UTM northing/determined by location
  - NAD83 / UTM zone 16N

- **Name of nearest waterbody:** Kishwaukee River
- **Name of nearest Traditional Navigable Water (TNW):** Kishwaukee River
- **Name of watershed or Hydrologic Unit Code (HUC):** Kishwaukee River

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

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

D. REVIEW PERFORMED FOR SITE EVALUATION:

- **Office Determination Date:** 04-Aug-2010
- **Field Determination Date(s):** 23-Jul-2010

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION

- There are navigable waters of the U.S. within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

  - Waters subject to the ebb and flow of the tide.
  - Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

  Explain:

B. CWA SECTION 404 DETERMINATION OF JURISDICTION

- There are waters of the U.S. within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

  1. Waters of the U.S.
  2. Identify (estimate) size of waters of the U.S. in review area:
     - **Area:** (acres)
     - **Linear:** (m)

  3. Limit(s) (boundaries) of jurisdiction:
     - Based on: 1987 Delineation Manual
     - OHHM Elevation: (if known)

  4. Non-regulated waters/wetlands:
     - Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain:

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. TNW
   - Not Applicable

2. Wetland Adjacent to TNW
   - Not Applicable

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

1. Characteristics of non-TNWs that flow directly or indirectly into TNW:

   - **General Area Conditions:**
     - **Watershed size:**
     - **Drainage area:**
     - **Average annual rainfall:** inches

https://orm.usace.army.mil/orm2/?p=106:34:1737849124409739::NO::

8/4/2010
Average annual snowfall: inches

**(ii) Physical Characteristics**

(a) Relationship with TNW:
- Tributary flows directly into TNW
  - Tributary flows through [] tributaries before entering TNW
  - Number of tributaries

| Project waters are [] river miles from TNW |
| Project waters are [] river miles from RPW |
| Project Waters are [] aerial (straight) miles from TNW |
| Project waters are [] aerial (straight) miles from RPW. |
- Project waters cross or serve as state boundaries:

Explain:
- Identify flow route to TNW:

(b) General Tributary Characteristics:

- Tributary is:
  - Not Applicable

- Tributary properties with respect to top of bank (estimates):
  - Not Applicable

- Primary tributary substrate composition:
  - Not Applicable

- Tributary conditions, stability, presence, geometry, gradient:
  - Not Applicable

(c) Flow:
- Not Applicable

- Surface Flow:
  - Not Applicable

- Subsurface Flow:
  - Not Applicable

- Tributary has:
  - Not Applicable

- If factors other than the OHMM were used to determine lateral extent of CWA jurisdiction:

- High Tide Line indicated by:
  - Not Applicable

- Mean High Water Mark indicated by:
  - Not Applicable

**(iii) Chemical Characteristics:**
- Characteristic tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.):
  - Not Applicable

(b) Biological Characteristics:
- Not Applicable

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

**(i) Physical Characteristics:**

(a) General Wetland Characteristics:
- Properties:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Size (Acres)</th>
<th>Wetland Type</th>
<th>Wetland Quality</th>
<th>Cross or Serve as State Boundaries</th>
<th>Explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-292 Wetland</td>
<td>65</td>
<td>Emergent</td>
<td>Identified in the ADID map as a high function value wetland (ADID #1150)</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

(b) General Flow Relationship with Non-TNW:
- Flow is:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Flow</th>
<th>Explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-292 Wetland</td>
<td>Perennial flow</td>
<td>-</td>
</tr>
</tbody>
</table>

Surface flow:
- Wetland Name | Flow | Characteristics |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-292 Wetland</td>
<td>Decelerate and confined</td>
<td>Flows from wetland through wetlands south to the Kishwaukee River. Water may also flow south to the South Branch of the Kishwaukee River.</td>
</tr>
</tbody>
</table>

Subsurface flow:
- Wetland Name | Subsurface Flow | Explain Findings | Dye (or other) Test |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-292 Wetland</td>
<td>Unknown</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
(c) Wetland Adjacency Determination with Non-TNW:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Directly Abutting</th>
<th>Discrete Wetland</th>
<th>Ecological Connection</th>
<th>Separated by Bern/Margin</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-292 Wetland</td>
<td>No.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(d) Proximity (Relationship) to TNW:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>River Miles From TNW</th>
<th>Aerial Miles From TNW</th>
<th>Flow Direction</th>
<th>Within Floodplain</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-292 Wetland</td>
<td>30 (or more)</td>
<td>30 (or more)</td>
<td>Wetland to navigable waters</td>
<td>100 - 500-year</td>
</tr>
</tbody>
</table>

(ii) Chemical Characteristics:
- Characteristic: tributary (e.g., water color is clear, discolored, oily film; water quality: general watershed characteristics, etc.).
- Wetland Name: Explain: Identify specific pollutants, if known.
- LRC-2010-292 Wetland: Explain |

(iii) Biological Characteristics, Wetland supports:
- Wetland Name: LRC-2010-292 Wetland
- Riparian Buffer: X
- The Kettle River provides a riparian corridor and the wetland extends from the river to the source in a continuation of the corral.
- Characteristics: Vegetation: Explain |

| Habitat for: | Wetland Name | Habitat | Federally Listed Species | Explain Findings | Spawn Area | Explain Findings | Other Environmentally Sensitive Species | Explain Findings | Aquatic/Wildlife Diversity | Explain Findings |
|--------------|--------------|---------|--------------------------|-----------------|------------|-----------------|----------------------------------------|----------------|---------------------------|-----------------
| LRC-2010-292 Wetland | X | - | | | | | | | |

3. Characteristics of all wetlands adjacent to the tributary (if any):
- All wetlands being considered in the cumulative analysis: Not Applicable.
- Summarize overall biological, chemical and physical functions being performed: Not Applicable.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of the TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to, the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g., between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.
- Significant Nexus: Not Applicable

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE:

1. TNWs and Adjacent Wetlands:
- Not Applicable.

2. RPWs that flow directly or indirectly into TNWs:
- Not Applicable.

Provide estimates of jurisdictional waters in the review area:
- Not Applicable.

3. Non-RPWs that flow directly or indirectly into TNWs:
- Not Applicable.

Provide estimates of jurisdictional waters in the review area:
- Not Applicable.

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs:
- Wetland Name: LRC-2010-292 Wetland
- Flow: PERENNIAL
- Wetland abuts the Kettle River, a RPW. The flow route from the wetland to the river was identified with 1-foot contours

Provide acreage estimates for jurisdictional wetlands in the review area:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Type</th>
<th>Size (Linear) (m)</th>
<th>Size (Area) (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-292 Wetland</td>
<td>Wetlands directly abutting RPWs that flow directly or indirectly into TNWs</td>
<td></td>
<td>263045.64</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>263045.64</td>
</tr>
</tbody>
</table>

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs:
- Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area: Not Applicable.

6. Wetlands adjacent to non-RPWS that flow directly or indirectly into TNWs: Not Applicable.

Provide estimates for jurisdictional wetlands in the review area: Not Applicable.


8. ISOLATED (INTERSTATE OR INTRA-STATE) WATERS including ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATER: Not Applicable.

Identify water body and summarize rationale supporting determination: Not Applicable.

Provide estimates for jurisdictional wetlands in the review area: Not Applicable.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS

If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1997 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements. Reviewers excluded isolated wetlands 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):

Provide acreage estimates for non-jurisdictional wetlands in the review area, that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction: Not Applicable.

SECTION IV: DATA SOURCES

A. SUPPORTING DATA. Data reviewed for JD:

Data Reviewed: Source Label | Source Description
--- | ---
\[
\begin{align*}
\text{Maps, plans, plots, or plat submitted} & \text{ by or on behalf of the applicant/consultant} \\
\text{AGID wetland map} & \\
\text{Wetland delineation} & \\
\text{USDA Natural Resource Conservation Service Soil Survey} & \\
\text{Hydro Soils} & \\
\text{Foot Comb Map} & \\
\end{align*}
\]

B. ADDITIONAL COMMENTS TO SUPPORT JD:

Not Applicable.

---

1. See Note 1 above for dates as defined in the Corps/FRP and the Corps-updated General Permit (G-48) and see Section 11.10 below.

2. For purposes of the form, an RPWS is defined as a wetland that is a TIW and that typically has a year-round or less continuous flow or "seasonal" flow (e.g., typically 3 months).

3. See Note 1 above for dates as defined in the Corps/FRP and the Corps-updated General Permit (G-48) and see Section 11.10 below.

4. In response to the above, the Corps-updated General Permit (G-48) has been updated to reflect the Corps' current interpretation of the term "wetland" for purposes of determining the applicability of the Corps' regulations.

5. The Corps-updated General Permit (G-48) has been updated to reflect the Corps' current interpretation of the term "wetland" for purposes of determining the applicability of the Corps' regulations.

6. The Corps-updated General Permit (G-48) has been updated to reflect the Corps' current interpretation of the term "wetland" for purposes of determining the applicability of the Corps' regulations.

7. The Corps-updated General Permit (G-48) has been updated to reflect the Corps' current interpretation of the term "wetland" for purposes of determining the applicability of the Corps' regulations.

8. See Note 1 above for dates as defined in the Corps/FRP and the Corps-updated General Permit (G-48) and see Section 11.10 below.

9. To complete the form, refer to the key in Section 11.1.8 of the Corps/FRP Guidelines.

10. Prior to accepting or denying Corps jurisdiction based solely on the category, Corps Districts will address the action to Corps and EPA HQ for review consistent with the process described in the Corps/FRP Memorandum Regarding CWA Act Jurisdiction Following Raster-up.

https://orm.us.army.mil/orm2/f?p=106:34:1737849124409739::NO::

8/4/2010
SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JDI): 05-Aug-2010

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, UAC-2008-001-34-JDI

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: IL - Illinois
County/parters/borough: McHenry
City: Holiday Hills
Lat: 42.29
Long: -88.22342
Universal Transverse Mercator: Footage UTM Left

UTM Left determined by footer location:
- NAD83 / UTM zone 16N

UTM Left determined by footer location:
- NAD83 / UTM zone 16N

Name of nearest waterbody: Crowne Lake
Name of nearest Traditional Navigable Water (TNW): Fox River
Name of watershed or Hydrologic Unit Code (HUC): Fox River

Check if map diagram of review area and/or potential jurisdictional areas were available upon request.
Check if other sites (e.g., offsite mitigation sites, disposal sites, etc.) are associated with the action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION:

Office Determination Date: 05-Aug-2010
Field Determination Date(s): 01-Jul-2010

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 19 DETERMINATION OF JURISDICTION

There are [ ] navigable waters of the U.S. (RHA jurisdiction (as defined by 33 CFR part 326) in the review area.

Waters subject to theebb and flow of the tide.
Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION

There are [ ] waters of the U.S. (within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

1. Waters of the U.S.
   a. Indicate presence of waters of U.S. in review area:
      Water Name: Water Type(s) Present
      LRC-2010-134 Crowne Lake: Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
      LRC-2010-134 Wetland: Wetlands directly adjoining RPWs that flow directly or indirectly into TNWs

b. Identify (estimate) size of waters of the U.S. in the review area:
   Area: [m²]
   Linear: [m]

c. Limits (boundaries) of jurisdiction:
   Based on: [ ]
   NHDW Elevation: [if known]

2. Non-regulated waters/wetlands:
   Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain:

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. TNW
   Not Applicable

2. Wetland Adjacent to TNW
   Not Applicable

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

1. Characteristics of non-TNWs that flow directly or indirectly into TNW
   (i) General Area Conditions:
      Watershed size: [ ]
      Drainage area: [ ]
      Average annual rainfall: inches
      Average annual snowfall: inches
(i) Physical Characteristics

(4) Relationship with TNW:

Tributary flows directly into TNW.
Tributary flows through [] tributaries before entering TNW.

Number of tributaries

Project waters are [] lower miles from TNW.
Project waters are [] lower miles from RPW.
Project Waters are [] aerial (straight) miles from TNW.
Project waters are [] aerial (straight) miles from RPW.

Project water cross or serve as state boundaries.

Explain:

Identify flow route to TNW.

Tributary Stream Order, if known:

Order: 1

Tributary Name: [LRC-2010-134 Griswold Lake]

(b) General Tributary Characteristics:

<table>
<thead>
<tr>
<th>Tributary Name</th>
<th>Natural Artificial Explain Manipulated</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Griswold Lake</td>
<td>X</td>
</tr>
</tbody>
</table>

Portions of the lake have been dredged. There are channels that were excavated extending from the lake. It is unknown what modifications to the lake may have occurred.

Tributary properties with respect to top of bank (estimates):

<table>
<thead>
<tr>
<th>Tributary Name</th>
<th>Width (ft)</th>
<th>Depth (ft)</th>
<th>Side Slopes</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Griswold Lake</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Primary tributary substrate composition:

<table>
<thead>
<tr>
<th>Tributary Name</th>
<th>Silt</th>
<th>Sands</th>
<th>Concrete</th>
<th>Cobbles</th>
<th>Gravel</th>
<th>Muck</th>
<th>Bedrock</th>
<th>Vegetation</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Griswold Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Tributary (conditions, stability, presence, geometry, gradient):

<table>
<thead>
<tr>
<th>Tributary Name</th>
<th>Condition/Stability</th>
<th>Runoff/Flow Complexes</th>
<th>Geometry</th>
<th>Gradient</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Griswold Lake</td>
<td>The lake has development around most of the boundary except the south and southwest portions. Wetland in southwest portion along shoreline.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(c) Flow:

<table>
<thead>
<tr>
<th>Tributary Name</th>
<th>Provides for</th>
<th>Events Per Year</th>
<th>Flow Regime</th>
<th>Duration &amp; Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Griswold Lake</td>
<td>Perennial flow</td>
<td>20 (or greater)</td>
<td>Lake connected to Fox River with free flow between the lake and the river.</td>
<td></td>
</tr>
</tbody>
</table>

Surface Flow:

<table>
<thead>
<tr>
<th>Tributary Name</th>
<th>Surface Flow</th>
<th>Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Griswold Lake</td>
<td>Discrete and confined</td>
<td></td>
</tr>
</tbody>
</table>

Subsurface Flow:

<table>
<thead>
<tr>
<th>Tributary Name</th>
<th>Subsurface Flow</th>
<th>Explain Findings</th>
<th>Dye (or other) Test</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Griswold Lake</td>
<td>Unknown</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Tributary has:

<table>
<thead>
<tr>
<th>Tributary Name</th>
<th>Bed &amp; Banks</th>
<th>OHWM</th>
<th>Discontinuous OHWM²</th>
<th>Explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Griswold Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction:

High Tide Line indicated by:

<table>
<thead>
<tr>
<th>Mean High Water Mark indicated by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

(ii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

<table>
<thead>
<tr>
<th>Tributary Name</th>
<th>Explain</th>
<th>Identify specific pollutants, if known</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Griswold Lake</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(iii) Biological Characteristics, Channel attributes:

<table>
<thead>
<tr>
<th>Tributary Name</th>
<th>Riparian Corridor Characteristics</th>
<th>Wetland Fringe</th>
<th>Characteristics</th>
<th>Habitat</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Griswold Lake</td>
<td>X</td>
<td>southwest corner gradually becomes wetland</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Habitat for (as indicated above):

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:
   (a) General Wetland Characteristics:
      Properties:

      | Wetland Name | Size (Acres) | Wetland Type | Wetland Quality | Cross or Serve as State Boundaries, E. |
      |--------------|--------------|--------------|-----------------|----------------------------------------|
      | LRC-2010-134 | 1            | emergent     |                |                                        |

      Wetlands listed as part of ADD U432, a high functional value wetland. The higher quality portion of the lake and wetlands are thought to be in the southwest portion of the lake where the lake becomes wetland.

      Wetland quality not sampled at this location, but not thought to be of high quality vegetatively.

(b) General Flow Relationship with Non-TNW:
   Flow:

      | Wetland Name | Flow | Explain |
      |--------------|-----|--------|
      | LRC-2010-134 |    |        |

   Surface flow:
   Subsurface flow:

      | Wetland Name | Flow Characteristics |
      |--------------|----------------------|
      | LRC-2010-134 |                     |

   (c) Wetland Adjacency Determination with Non-TNW:

      | Wetland Name | Directly Abutting | Discrete Wetland | Ecological Connection |
      |--------------|------------------|------------------|----------------------|
      | LRC-2010-134 |                 |                  |                      |

   (d) Proximity (Relationship) to TNW:

      | Wetland Name | River Miles | Aerial Miles | Flow Direction | Within Floodplain |
      |--------------|-------------|--------------|----------------|------------------|
      | LRC-2010-134 | 1 (or less) | 1 (or less) |                | 50 - 100-year |

   (ii) Chemical Characteristics:

      Characteristics tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

      | Wetland Name | Explain | Identify specific pollutants, if known |
      |--------------|---------|----------------------------------------|
      | LRC-2010-134 |         |                                        |

   (iii) Biological Characteristics. Wetland supports:

      | Wetland Name | Riparian Buffer Characteristics | Vegetation | Explain |
      |--------------|---------------------------------|------------|--------|
      | LRC-2010-134 |                                |            |        |

   Habitat for:

      | Wetland Name | Habitat | Federally Listed Species | Explain Findings | Fish/Spawn Area | Explain Findings | Other Environmentally Sensitive Species | Explain Findings | Aquatic/Wildlife Diversity | Explain Findings |
      |--------------|---------|--------------------------|-----------------|-----------------|-----------------|--------------------------------------|-----------------|-------------------------|-----------------|
      | LRC-2010-134 |         |                          |                 |                 |                 |                                      |                 |                         |                 |

3. Characteristics of all wetlands adjacent to the tributary (if any):

   All wetlands being considered in the cumulative analysis:
   Not Applicable.

   Summary of overall biological, chemical and physical functions being performed:
   Not Applicable.

   C. SIGNIFICANT NEXUS DETERMINATION

   A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical orlor biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g., between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

   Significant Nexus: Not Applicable.

   D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE:

   1. Tributaries and Adjacent Wetlands:
   Not Applicable.

2. RPWs that flow directly or indirectly into TNWs:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Flow</th>
<th>Explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Gretswold Lake</td>
<td>PERENNIAL</td>
<td>Gretswold Lake is identified on the USGS map and is directly connected to the Fox River by a 1500 foot channel.</td>
</tr>
</tbody>
</table>

Provide estimates for jurisdictional waters in the review area:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Type</th>
<th>Size (Linear) (m)</th>
<th>Size (Area) (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Gretswold Lake</td>
<td>Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs</td>
<td>0</td>
<td>702199.8</td>
</tr>
</tbody>
</table>

Total: 702199.8

3. Non-RPWs that flow directly or indirectly into TNWs:
Not Applicable.

Provide estimates for jurisdictional waters in the review area:
Not Applicable.

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Flow</th>
<th>Explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Wetland</td>
<td>PERENNIAL</td>
<td>Wetland is directly abutting the lake with no separation</td>
</tr>
</tbody>
</table>

Provide acreage estimates for jurisdictional wetlands in the review area:

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Type</th>
<th>Size (Linear) (m)</th>
<th>Size (Area) (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>LRC-2010-134 Wetland</td>
<td>Wetlands directly abutting RPWs that flow directly or indirectly into TNWs</td>
<td>0</td>
<td>4048.886</td>
</tr>
</tbody>
</table>

Total: 4048.886

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs:
Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area:
Not Applicable.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs:
Not Applicable.

Provide estimates for jurisdictional wetlands in the review area:
Not Applicable.

7. Impoundments of jurisdictional waters:
Not Applicable.

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:
Not Applicable.

Identify water body and summarize rationale supporting determination:
Not Applicable.

Provide estimates for jurisdictional waters in the review area:
Not Applicable.

F. NON-JURISDICTIONAL WATERS. INCLUDING WETLANDS

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):

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:
Not Applicable.

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:
Not Applicable.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA: Data reviewed for JD

<table>
<thead>
<tr>
<th>Source</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>US Geological Survey maps.</td>
<td>10 Foot Contour</td>
</tr>
<tr>
<td>USDA Natural Resources Conservation Service Soil Survey</td>
<td>Soil Survey</td>
</tr>
<tr>
<td>State/Local wetland inventory maps.</td>
<td>Acidic soils mapped on-osw</td>
</tr>
<tr>
<td>FEMA/FIRM maps</td>
<td>Located in floodplain</td>
</tr>
</tbody>
</table>

B. ADDITIONAL COMMENTS TO SUPPORT JD:

Not Applicable.
1. Issues checked below shall be supported by completing the appropriate sections in Section III below.

2. For purposes of this form, an RMV is defined as a tributary that is not a TMW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

3. Supporting documentation is presented in Section IV.

4. Note that the Instructional Guidebook contains additional information regarding weirs, ditches, weirs, and microbial features generally not in the wetland.

5. Flow types can be described by identifying a. tributary, b. which flows through the wetland area, b. which flows into TMW, c. which flows into TMW.

6. Tributary or mainstem are described in the INWM does not possess TMW jurisdiction (e.g., where the stream travels to and travels underground, or where the channel has been removed by development or agricultural practices). Where there is a break of TMW, the Classification Flow regime (e.g., flow over a rock outcrop through a culvert), the agency must look for indications of flow above and below the break.

7. See footnotes #3.

8. To complete the analysis refer to the key in Section III of the Instructional Guidebook.

9. Prior to asserting or declining INWM 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 Response.