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

SECTION I: BACKGROUND INFORMATION
A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): August 13, 2013

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, James Stewart, LRC-2013-593

C. PROJECT LOCATION AND BACKGROUND INFORMATION: 3600 West Crete-Monee Road
State: Illinois  County/parish/borough: Will  City: Monee
Center coordinates of site (lat/long in degree decimal format): Lat. 41.421°N, Long. -87.69985° W.
Universal Transverse Mercator: NAD 83
Name of nearest waterbody: Deer Creek
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Little Calumet River
Name of watershed or Hydrologic Unit Code (HUC): Chicago (07120003)

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
- Office (Desk) Determination. Date: August 20, 2013
- Field Determination. Date(s):

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]
- 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.

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. [Required]

1. Waters of the U.S.
   a. Indicate presence of waters of U.S. in review area (check all that apply): 1
      - TNWs, including territorial seas
      - Wetlands adjacent to TNWs
      - Relatively permanent waters2 (RPWs) that flow directly or indirectly into TNWs
      - 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:
      Non-wetland waters: linear feet: width (ft) and/or acres.
      Wetlands: 7 acres.
   c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual
      Elevation of established OHWM (if known):

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: Pick List

2. Wetland adjacent to TNW
   Summarize rationale supporting conclusion that wetland is “adjacent”:

---

1 Boxes checked below shall be supported by completing the appropriate 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 at least “seasonally” (e.g., typically 3 months).
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: linear feet width (ft), Or, acres.
   - Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**
   - Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: Deer Creek is a perennial waterway as observed on maps and aerals, and flows into Thorn Creek, which flows into the Little Calumet River (TNW).
   - Tributaries of TNW where tributaries have continuous flow “seasonally” (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: .

   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: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
   - Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
   - Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: The subject wetland is the southern riparian/riverine wetland extension of Deer Creek, and starts at the bank of Deer Creek and extends into the subject property without interruption.
   - Wetlands directly abutting an RPW where tributaries typically flow “seasonally.” Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

   Provide acreage estimates for jurisdictional wetlands in the review area: 7 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: Will/South Cook SWCD Delineation Report.
   - Data sheets prepared/submitted by or on behalf of the applicant/consultant: Office concurs with data sheets/delineation report.
   - Office does not concur with data sheets/delineation report.
   - Data sheets prepared by the Corps: .
   - Corps navigable waters’ study: .
   - USGS NHD data: .
   - USGS 8 and 12 digit HUC maps: .
   - National wetlands inventory map(s). Cite name: Steger, .
   - State/Local wetland inventory map(s): Pick List, Pick List, .
   - 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: .
   - Applicable/supporting scientific literature: .
   - Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: Deer Creek shows perennial flow on aerals, and has hydric soil, floodplain, and abutting wetlands on both the north and south of the creek, including the subject property (to the south of the creek). Deer creek flows northeast and ultimately joins Thorn Creek, which is tributary to the Little Calumet River, a documented TNW.