There is 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]

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 waters (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: 5 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: Tributary was on USGS maps, and has been piped after major development of area to accommodate stormwater discharges from local detention basins and remaining wetland areas; and now has year-round inputs and flow.
   - [ ] 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: .

3. 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: Wetland has a drop structure that goes directly into a piped tributary of the East Branch DuPage River; and the site is utilized as part of localized detention, so has flow year-round.
   - [ ] 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: .

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.
   - Provide acreage estimates for jurisdictional wetlands in the review area: 5 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: Raisanen & Associates, Inc.
   - [ ] 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: Lombard, .
   - [ ] State/Local wetland inventory map(s): DuPage County ADID, Pick List, .
   - [ ] FEMA/FIRM maps: .
   - [ ] 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
   - [ ] Photographs: [ ] Aerial (Name & Date): .
     - [ ] 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: The subject 5 acre wetland is an emergent wetland remaining in an otherwise developed landscape, and receives constant stormwater inputs from the surrounding areas, as well as inputs from detention basins abutting the wetland; and all this water is conveyed into a drop structure to the recently piped tributary, and this had flowing water in December site visit, and has flowing water throughout the year.
SECTION I: BACKGROUND INFORMATION
A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 11 February 2014
B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, Village of Wheeling, LRC-2014-105
C. PROJECT LOCATION AND BACKGROUND INFORMATION: North of Meadow Lane, West of Milwaukee Avenue
   State: Illinois  County/parish/borough: Cook  City: Wheeling
   Center coordinates of site (lat/long in degree decimal format): Lat. 42.1486163°N, Long. -87.9220405° W.
   Universal Transverse Mercator: NAD 83
   Name of nearest waterbody: William Rogers Memorial Diversion Channel
   Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Des Plaines River
   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: 19 February 2014
   ☑ Field Determination. Date(s): Summer 2012 by Kathy Cerich

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: 1000 linear feet: 4 width (ft) and/or acres.
      Wetlands: 1.08 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: Aerials show water, and wetland consultant states flow is perennial based on site observations.
   - [ ] Tributaries of TNWs 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: 1000 linear feet width (ft).
   - [ ] Other non-wetland waters: acres.
   Identify type(s) of waters:

3. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
   - [ ] Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that wetland is directly abutting an RPW: **Wetland is directly adjacent to ditch, and has outlet directly into ditch.**

   Provide acreage estimates for jurisdictional wetlands in the review area: 1.08 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 Wetland Delineation and Assessment 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: Wheeling.
   - [ ] 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: LRC-2012-772.
   - [ ] Applicable/supporting scientific literature:
   - [ ] Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD: Wetland 1 is a wetland mitigation area that was an expansion of wetland 2 that already existed and had a connection to the ditch, so now they are really one wetland area connected to the ditch. The ditch is a Corps civil works project for flood control.
SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 09 Jan 2014

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, Will County Highway Department, LRC-2014-30

C. PROJECT LOCATION AND BACKGROUND INFORMATION: 143rd Street from Lemont Road to Bell Road

- State: Illinois
- County/parish/borough: Will
- City: Homer Glen

Center coordinates of site (lat/long in degree decimal format): Lat. 41.628343°N, Long. -87.963828° W.

- Universal Transverse Mercator: NAD 83

- Name of nearest waterbody: Long Run Creek

- Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Des Plaines River

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

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

- Office (Desk) Determination. Date: 10 January 2014

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 waters (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: 300 linear feet: 10 width (ft) and/or acres.
   - Wetlands: .314 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: All tributaries along the corridor had continuous flow based on aerial review and statement by consultant.
   - 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: __________.

3. **Provide acreage estimates for jurisdictional wetlands in the review area:** __________ 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.
   - 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: __________.
   - U.S. Geological Survey map(s). Cite scale & quad name: Sag Bridge 7.5”, 1993, Pick List, Pick List, Pick List, __________.
   - National wetlands inventory map(s). Cite name: Sag Bridge, __________.
   - 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): 2008.
   - or __________ Other (Name & Date): V3 Wetland Delineation Report.
   - Previous determination(s). File no. and date of response letter: __________.
   - Applicable/supporting scientific literature: __________.
   - Other information (please specify): __________.

B. ADDITIONAL COMMENTS TO SUPPORT JD: All tributaries, including one with an abutting wetland, have relatively permanent flow based on all information provided and review of maps and aerials.
APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

SECTION I: BACKGROUND INFORMATION
A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): January 12, 2014

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, Antioch School District, LRC-2014-41

C. PROJECT LOCATION AND BACKGROUND INFORMATION: North of Route 173, West of Tiffany Road
State: Illinois  County/parish/borough: Lake  City: Antioch
Center coordinates of site (lat/long in degree decimal format): Lat. 42.4800°N, Long. -88.1136° W.
Universal Transverse Mercator: NAD 83
Name of nearest waterbody: Sequoit Creek
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Fox River
Name of watershed or Hydrologic Unit Code (HUC): Upper Fox (07120006)
☐ 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: 06 Feb 2014
☐ 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. Explain: Defined in People of State of Ill. ex rel. Scott v. Hoffman, No. P-CIV-76-45, slip op. at 7 (S.D.Ill. Jan. 20, 1979).

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: 100 linear feet: 20 width (ft) and/or acres.
   Wetlands: 0.32 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: Sequoiot Creek is a major tributary to the Fox River Chain O'Lake directly north of the subject location, and become a Section 10 water prior to entering the "Chain".
   - 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: 100 linear feet 20 width (ft).
   - Other non-wetland waters: acres.
   - Identify type(s) of waters: .

Provide acreage estimates for jurisdictional wetlands in the review area: 0.32 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: AES Wetland Delineation Report.
   - Data sheets prepared/submitted by or on behalf of the applicant/consultant. Office concurs 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: Antioch.
   - State/Local wetland inventory map(s): Lake County ADID, Pick List.
   - 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
   - Photographs: Aerial (Name & Date): .
   - 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: Wetlands directly abut an RPW creek that flows year-round into a nearby recreational chain of lakes that are TNW's.
APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

SECTION I: BACKGROUND INFORMATION
A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 24 February 2014

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, Glavin Farm, LRC-2014-83

C. PROJECT LOCATION AND BACKGROUND INFORMATION: NE Corner of Randall Road & Route 72
   State: Illinois   County/parish/borough: Kane   City: West Dundee
   Center coordinates of site (lat/long in degree decimal format): Lat. 42.10638°N, Long. -88.33323° W.
       Universal Transverse Mercator: NAD 83
   Name of nearest waterbody: Jelkes Creek
   Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Fox River
   Name of watershed or Hydrologic Unit Code (HUC): Upper Fox (07120006)
   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: 24 February 2014
   ☐ 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 waters*(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: 15000 linear feet: 3 width (ft) and/or acres.
         Wetlands: 4.8 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”:

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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: Tributary to Jelkes Creek shows up on multiple aerial photographs as having flowing water.
   - [ ] 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: 15000 linear feet 3 width (ft).
   - [ ] Other non-wetland waters: acres.

   Identify type(s) of waters: .

3. **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: Wetland is bisected by tributary to Jelkes Creek, and little or no elevation change between water in creek and water in wetland.

   Provide acreage estimates for jurisdictional wetlands in the review area: 4.8 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: Wetland Assessment Report by Midwest Ecological.
   - [ ] 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.
   - [ ] USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey of Kane County, Illinois (2003).
   - [ ] National wetlands inventory map(s). Cite name: Elgin, .
   - [ ] State/Local wetland inventory map(s): Kane County ADID, Pick List, .
   - [ ] FEMA/FIRM maps: 17089C0155H.
   - [ ] 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
   - [ ] Photographs: [ ] Aerial (Name & Date): 2013 Bing.
   - [ ] 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: Wetland has braided tributary flowing through middle of large complex; tributary flows into blue line stream (Jelkes Creek) about 1 mile to the east, which flows into the Fox River (TNW).
SECTION I: BACKGROUND INFORMATION
A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): May 29, 2013
B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, LRC-2013-420
C. PROJECT LOCATION AND BACKGROUND INFORMATION:
   State: Indiana   County/parish/borough: Porter   City: near Valparaiso
   Center coordinates of site (lat/long in degree decimal format): Lat. 41.559776°N, Long. -87.089774° W.
   Universal Transverse Mercator: NAD 83
   Name of nearest waterbody: Damon Run
   Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Little Calumet River
   Name of watershed or Hydrologic Unit Code (HUC): Little Calumet (07120003)
   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: 1 OCT 2013
   ☒ Field Determination. Date(s): 16 JUL 2013

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.
   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. [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 waters (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: 340 linear feet: width (ft) and/or acres.
         Wetlands: Wetland 1: 7.78 AC, Wetland 2: 0.09 acres.
      c. Limits (boundaries) of jurisdiction based on: Midwest Supplement
         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: Little Calumet River
      Summarize rationale supporting determination: The on-site non-wetland waters and abutting wetlands have hydrologic connection to Damon Run. Damon Run empties into Salt Creek. Salt Creek empties into the East Arm Little Calumet River which is a TNW.
   2. Wetland adjacent to TNW

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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).
Summarize rationale supporting conclusion that wetland is “adjacent”: Wetlands abut on-site stream.

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: aerial review, USGS shows as solid blue line waterway.
   - 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: 340 linear feet width (ft).
     - Other non-wetland waters: acres.

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: Wetland is located immediately next to tributaries. Tributaries likely historically excavated in wetland.
   - 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: Wetland 1: 7.78 AC, Wetland 2: 0.09 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 plats submitted by or on behalf of the applicant/consultant: located in Wetland Delineation Report dated May 29, 2013 prepared by Soil Solutions, Inc.
   - Data sheets prepared/submitted by or on behalf of the applicant/consultant. Office concurs with data sheets/delineation report. Wetland Delineation Report dated May 29, 2013 prepared by Soil Solutions, Inc.
   - Data sheets prepared by the Corps:
   - USGS navigable waters’ study:
   - U.S. Geological Survey Hydrologic Atlas, Pick List:
   - USGS NHD data:
   - USGS 8 and 12 digit HUC maps:
   - U.S. Geological Survey map(s). Cite scale & quad name: , 7.5 minute, Chesterton, IN.
   - USDA Natural Resources Conservation Service Soil Survey. Citation: Pick List.
   - National wetlands inventory map(s). Cite name: Chesterton, IN.
   - State/Local wetland inventory map(s): GIS.
   - 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 case law:
   - Applicable/supporting scientific literature:
   - Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: A small part of the northern boundary of the site consists of Damon Run.