

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: City of Chicago, Mayor's Office of Special Events PROJECT LOCATION/WATERWAY: South Side of the Chicago River Just West of Lake Shore Drive in the City of Chicago, Cook County, Illinois/Chicago River

FILE NUMBER: LRC-2006-946

PROJECT REVIEW COMPLETED: [X] Office [ ] Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site
[X] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[ ] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[ ] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[X] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: CHICAGO LOOP.
[ ] U. S. Geological Survey Hydrologic Atlas:
[ ] USDA Natural Resources Conservation Service Soil Survey for Cook County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: CHICAGO LOOP, 1993.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles:
[ ] Aerials (Name & Date):
[ ] Advanced Identification Wetland Maps:
[ ] Site Visit Conducted on:
[ ] Other information:

Rationale for Basis (applies to any boxes checked above):

The Chicago River is a jurisdictional, section 10 waters of the U.S.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [ ] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soil
[ ] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other:

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated , prepared by
[ ] This office does not confirm your wetland boundary.

Recommended by: ORIGINAL SIGNED Date: 7-31-06

Approved by: Date:

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Linda Poppen Knight PROJECT LOCATION/WATERWAY: 65-acre site located east and west of Route 47, north of Route 72 and south of Reinking Road in Rutland Township, Kane County, Illinois (NW 1/4 of Section 29 and NE 1/4 of Section 30, T42N R7E)

FILE NUMBER: LRC-2006-486 PROJECT REVIEW COMPLETED: [X] Office [X] Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: PINEGREE GROVE.
[X] U. S. Geological Survey Hydrologic Atlas: PINGREE GROVE, HA 232.
[X] USDA Natural Resources Conservation Service Soil Survey for Kane County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: PINGREE GROVE, 1992.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles:
[X] Aerial Photographs (Name & Date): No source, Sept. 2004
[X] Advanced Identification Wetland Maps: KANE COUNTY
[X] Site Visit Conducted on: April 18, 2006 by Jaimee Hammit of the USACE, Chicago District
[X] Other information: FEMA FIRM; Wetland Delineation Report, dated January 24, 2006, prepared by CBBEL.

Rationale for Basis (applies to any boxes checked above): Wetland 1 is actually a wetland at the headwaters of Eakin Creek, which flows into the Kishwaukee River, a navigable waterway. Wetland 2 is directly adjacent to Wetland 1/headwaters of Eakin Creek. Therefore, Wetland 1 and Wetland 2 are under the jurisdiction of the U.S. Army Corps of Engineers for their surface water tributary system connection to Eakin Creek and ultimately, the Kishwaukee River. A farmed wetland is also on-site (southeastern corner) that has a surface water tributary system connection to Tvler Creek, which flows to the Fox River, a navigable waterway. Therefore, the farmed wetland on-site and Tyler Creek are also under the jurisdiction of the U.S. Army Corps of Engineers.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [X] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soils
[X] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other:

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated , prepared by
[X] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 7/28/06
Approved by: [Signature] Date: 7/31/06



APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Level 3 Communications, LLC

PROJECT LOCATION/WATERWAY: Des Plaines River/Buffalo Grove

FILE NUMBER: LRC-2006-840

PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site

Basis of Jurisdictional Determination:

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the U.S. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

Information Reviewed

- U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_.
- U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_.
- USDA Natural Resources Conservation Service Soil Survey for Lake County.
- U. S. Geological Survey 7.5 Minute Topographic Maps: WHEELING, 1993.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_.
- U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_.
- Aerials (Name & Date): Lake County 1939, 2000, 1004, & 2005; PhotoMapper 2001, 2002 & 2005
- Advanced Identification Wetland Maps: LAKE COUNTY.
- Site Visit Conducted on:
- Other information:

Rationale for Basis (applies to any boxes checked above): The Des Plaines River is a navigable water of the United States below Hoffman Dam and therefore a water of the United States under the jurisdiction of the Department of the Army above Hoffman Dam.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- the presence of litter and debris
- changes in the character of soil
- wetland boundary
- destruction of terrestrial vegetation
- shelving
- other

Basis for Declining Jurisdiction:

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ - 5 \_\_\_\_\_ Date: 7/28/06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Madina Masjid PROJECT LOCATION/WATERWAY: Northwest of the Intersection of Manhattan-Monee Road and 80th Street in Green Garden, Will County, Illinois  
FILE NUMBER: LRC-2006-552 PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site

**Basis of Jurisdictional Determination:**

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

**Information Reviewed**

- U. S. Fish and Wildlife Service National Wetland Inventory: MOKENA.
- U. S. Geological Survey Hydrologic Atlas: MOKENA, 204.
- USDA Natural Resources Conservation Service Soil Survey for Will County.
- U. S. Geological Survey 7.5-Minute Topographic Maps: MOKENA, 1993.
- U. S. Geological Survey 7.5-Minute Historic Quadrangles: \_\_\_\_\_.
- U. S. Geological Survey 15-Minute Historic Quadrangles: \_\_\_\_\_.
- Aerials (Name & Date): Green Garden, 1997
- Advanced Identification Wetland Maps: \_\_\_\_\_.
- Site Visit Conducted on: May 19, 2006
- Other information:

**Rationale for Basis (applies to any boxes checked above):** The tributary located on the subject property drains into the DuPage River. The DuPage River flows into the Des Plaines River, a navigable waters of the U.S.

**Lateral Extent of Jurisdiction (33 CFR 328 and 329):**

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- the presence of litter and debris
- changes in the character of soil
- wetland boundary
- destruction of terrestrial vegetation
- shelving
- other:

**Basis for Declining Jurisdiction:**

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

**Confirmation of Wetland Boundaries**

- This office concurs with your wetland delineation report dated June 26, 2006, prepared by Bollinger, Lach & Associates.
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 26 Jul 06

Approved by: \_\_\_\_\_ Date: 26 Jul 06

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Mitch Kasper PROJECT LOCATION/WATERWAY: 1/4 Mile West of the Intersection of Burville Road and Klemme Road in Crete, Will County, Illinois

FILE NUMBER: 200600392 (LRC-2006-23488) PROJECT REVIEW COMPLETED: [X] Office [X] Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
There are both waters of the United States and non-jurisdictional waters on the project site

Basis of Jurisdictional Determination:

- There are no jurisdictional waters of the United States present on the project site.
The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
Other:
Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: DYER.
[X] U. S. Geological Survey Hydrologic Atlas: DYER, 301.
[X] USDA Natural Resources Conservation Service Soil Survey for Will County.
[X] U. S. Geological Survey 7.5-Minute Topographic Maps: DYER, 1990.
U. S. Geological Survey 7.5-Minute Historic Quadrangles:
U. S. Geological Survey 15-Minute Historic Quadrangles:
[X] Aerials (Name & Date): Crete, 1997
Advanced Identification Wetland Maps:
[X] Site Visit Conducted on: June 19, 2006
Other information:

Rationale for Basis (applies to any boxes checked above): ". Wetlands 1-6 are tributaries that flow into Plum Creek. Wetland 6 drains towards Wetland 5 through cut drainage paths that head west eventually fanning out towards Wetland 5. Plum Creek drains into the Calumet River, a navigable waters of the U.S. and is therefore jurisdictional.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

- Ordinary High Water Mark indicated by:
clear, natural line impressed on the bank
[X] wetland boundary
destruction of terrestrial vegetation
shelving
other:

Basis for Declining Jurisdiction:

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [X] This office concurs with your wetland delineation report dated October 25, 2005, prepared by
This office does not confirm your wetland boundary

Recommended by: [Signature] Date: 26 Jul 06

Approved by: [Signature] Date: 20 Jul 06

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology) Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: John Ratkovich PROJECT LOCATION/WATERWAY: Northwest of the Intersection of Manhattan-Monee Road and 80th Street in Green Garden, Will County, Illinois  
FILE NUMBER: LRC-2006-646 PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

Information Reviewed

- U. S. Fish and Wildlife Service National Wetland Inventory: MOKENA
- U. S. Geological Survey Hydrologic Atlas: MOKENA, 204.
- USDA Natural Resources Conservation Service Soil Survey for Will County
- U. S. Geological Survey 7.5-Minute Topographic Maps: MOKENA, 1993.
- U. S. Geological Survey 7.5-Minute Historic Quadrangles: \_\_\_\_\_.
- U. S. Geological Survey 15-Minute Historic Quadrangles: \_\_\_\_\_.
- Aerials (Name & Date): Green Garden, 1997
- Advanced Identification Wetland Maps: \_\_\_\_\_.
- Site Visit Conducted on: June 19, 2006
- Other information:

Rationale for Basis (applies to any boxes checked above): The tributary located on the subject property drains into Forked Creek. Forked Creek flows into the Kankakee River, a navigable waters of the U.S.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- the presence of litter and debris
- changes in the character of soil
- wetland boundary
- destruction of terrestrial vegetation
- shelving
- other:

Basis for Declining Jurisdiction:

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- This office concurs with your wetland delineation report dated December 31, 2005, prepared by McGowan Ecological, Inc.
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 26 July 06

Approved by: \_\_\_\_\_ Date: 20 July 06

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup>Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Eiden and O'Donnel, Ltd.

PROJECT LOCATION/WATERWAY: Indian Creek/Hawthorn Woods

FILE NUMBER: LRC-2006-568

PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site.

**Basis of Jurisdictional Determination:**

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

**Information Reviewed**

- U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_
- U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_
- USDA Natural Resources Conservation Service Soil Survey for Lake County.
- U. S. Geological Survey 7.5 Minute Topographic Maps: LAKE ZURICH, 1993.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_
- U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_
- Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002, & 2005
- Advanced Identification Wetland Maps: LAKE COUNTY.
- Site Visit Conducted on: July 20, 2006
- Other information:

**Rationale for Basis (applies to any boxes checked above):** Wetlands 1 and 2 are tributary to the Fox River via Squaw Creek and wetlands 3 and 5 are tributary to the Des Plaines River via Indian Creek. The Fox River is a navigable water of the United States as is the Des Plaines River Hoffman Dam, therefore their tributaries are also waters of the United States under the jurisdiction of the Department of the Army. Wetlands 4 and 6 do not have a discernable surface water connection to a navigable water of the United States and are therefore not under the jurisdiction of the Department of the Army.

**Lateral Extent of Jurisdiction (33 CFR 328 and 329):**

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- the presence of litter and debris
- changes in the character of soil
- wetland boundary
- destruction of terrestrial vegetation
- shelving
- other

**Basis for Declining Jurisdiction:**

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

**Confirmation of Wetland Boundaries**

- This office concurs with your wetland delineation report dated March 2006 (revised July 24, 2006), prepared by Hey and Associates, Inc.
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ **ORIGINAL SIGNED** \_\_\_\_\_ Date: **JUL 25 2006**

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: City of Chicago Department of Environment PROJECT LOCATION/WATERWAY: North Branch of the Chicago River Within the Northeast Section of the Diversey Turning Basin, City of Chicago, Cook County, Illinois

FILE NUMBER: LRC-2006-913

PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- There are no jurisdictional waters of the United States present on the project site  
The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

Information Reviewed

- U. S. Fish and Wildlife Service National Wetland Inventory: CHICAGO LOOP.
- U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_.
- USDA Natural Resources Conservation Service Soil Survey for Cook County.
- U. S. Geological Survey 7.5 Minute Topographic Maps: CHICAGO LOOP, 1993.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_.
- U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_.
- Aerials (Name & Date): \_\_\_\_\_.
- Advanced Identification Wetland Maps: \_\_\_\_\_.
- Site Visit Conducted on: \_\_\_\_\_.
- Other information:

Rationale for Basis (applies to any boxes checked above):

The project will take place within the North Branch of the Chicago River which is a Section 10, waters of the U.S.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- |  |  |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris         | <input type="checkbox"/> shelving                              |
| <input type="checkbox"/> changes in the character of soil          | <input type="checkbox"/> other:                                |
| <input type="checkbox"/> wetland boundary                          |  |

Basis for Declining Jurisdiction:

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_.
- This office does not confirm your wetland boundaries.

Recommended by: \_\_\_\_\_ Date: 7-27-06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup>Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

ORIGINAL SIGNED

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Mr. Dovid Grinker PROJECT LOCATION/WATERWAY: North Of 130th Street And West Of Avenue "O" in Chicago, Cook County, Illinois

FILE NUMBER: LRC-2006-754 PROJECT REVIEW COMPLETED: [ ] Office [X] Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[ ] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [ ] U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_
[ ] U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_
[ ] USDA Natural Resources Conservation Service Soil Survey for Cook County.
[ ] U. S. Geological Survey 7.5 Minute Topographic Maps: \_\_\_\_\_
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_
[ ] Aerials (Name & Date):
[ ] Advanced Identification Wetland Maps: \_\_\_\_\_
[X] Site Visit Conducted on: July 13, 2006
[ ] Other information:

Rationale for Basis (applies to any boxes checked above):

The wetlands were observed on or near the western portion of the property adjacent to the power line right-of-way and at the northern extent of the property. These wetlands drain east to Wolf Lake and then to Lake Michigan, a navigable water.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [ ] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soil
[X] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other:

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_
[X] This office does not confirm your wetland boundary.

Recommended by: ORIGINAL SIGNED Date: JUL 19 2006

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: GL-DB, LLC

PROJECT LOCATION/WATERWAY: Skokie River/North Chicago

FILE NUMBER: LRC-2006-879

PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site.

**Basis of Jurisdictional Determination:**

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))  
The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

**Information Reviewed**

- U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_.
- U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_.
- USDA Natural Resources Conservation Service Soil Survey for Lake County.
- U. S. Geological Survey 7.5 Minute Topographic Maps: FOX LAKE, 1993.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_.
- U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_.
- Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002, & 2005
- Advanced Identification Wetland Maps: LAKE COUNTY.
- Site Visit Conducted on:
- Other information:

**Rationale for Basis (applies to any boxes checked above):** The Skokie River is a tributary of the Chicago River, a navigable water of the United States, and therefore also a water of the United States under the jurisdiction of the Department of the Army.

**Lateral Extent of Jurisdiction (33 CFR 328 and 329):**

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- destruction of terrestrial vegetation
- the presence of litter and debris
- shelving
- changes in the character of soil
- other
- wetland boundary

**Basis for Declining Jurisdiction:**

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

**Confirmation of Wetland Boundaries**

- This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_.
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ **ORIGINAL SIGNED** Date: JUL 19 2006

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Jim Lindgren PROJECT LOCATION/WATERWAY: Duck Lake/Fox Lake

FILE NUMBER: LRC-2006-863 PROJECT REVIEW COMPLETED: [X] Office [ ] Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [ ] U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_
[ ] U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_
[X] USDA Natural Resources Conservation Service Soil Survey for Lake County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: FOX LAKE, 1993.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_
[X] Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002, & 2005
[X] Advanced Identification Wetland Maps: LAKE COUNTY.
[ ] Site Visit Conducted on:
[ ] Other information:

Rationale for Basis (applies to any boxes checked above): Wetland and Channl on site are tributary to Duck Lake which is itself tributary to the Fox River via the Fox Chain of Lakes. The Fox River is a navigable water of the United States, therefore the wetland and channel on the property are aslo waters of the United States under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [ ] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soil
[X] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [X] This office concurs with your wetland delineation report dated January 2006, prepared by Varga and Associates.
[ ] This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 7/10/06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydnc soils and wetland hydrology). Processes for determining wetlands on agrncultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Don Summers PROJECT LOCATION/WATERWAY: Deep Lake/Lake Villa

FILE NUMBER: LRC-2006-898 PROJECT REVIEW COMPLETED: [X] Office [ ] Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[ ] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [ ] U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_
[ ] U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_
[X] USDA Natural Resources Conservation Service Soil Survey for Lake County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: FOX LAKE, 1993.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_
[X] Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002, & 2005
[X] Advanced Identification Wetland Maps: LAKE COUNTY.
[ ] Site Visit Conducted on:
[ ] Other information:

Rationale for Basis (applies to any boxes checked above): Wetland and Channl on site are tributary to Duck Lake which is itself tributary to the Fox River via the Fox Chain of Lakes. The Fox River is a navigable water of the United States, therefore the wetland and channel on the property are aslo waters of the United States under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [X] clear, natural line impressed on the bank
[X] destruction of terrestrial vegetation
[X] the presence of litter and debris
[X] shelving
[ ] changes in the character of soil
[ ] other
[ ] wetland boundary

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_
[X] This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 7/10/06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: VenCom Commercial Properties PROJECT LOCATION/WATERWAY: Lake Michigan/Lake Bluff

FILE NUMBER: LRC-2006-449 PROJECT REVIEW COMPLETED: [X] Office [ ] Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce...
[ ] The presence of interstate waters (including interstate wetlands).
[ ] The presence of a tributary to an interstate water or other water of the US.
[ ] The presence of wetlands adjacent ( bordering, contiguous, or neighboring) to interstate or other waters of the US...
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams... mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[X] Section 10 waterway.

Information Reviewed

- [ ] U. S. Fish and Wildlife Service National Wetland Inventory:
[ ] U. S. Geological Survey Hydrologic Atlas:
[X] USDA Natural Resources Conservation Service Soil Survey for Lake County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: WAUKEGAN, 1993.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles:
[X] Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002, & 2005
[X] Advanced Identification Wetland Maps: LAKE COUNTY.
[ ] Site Visit Conducted on:
[ ] Other information:

Rationale for Basis (applies to any boxes checked above): Lake Michigan is a navigable water of the United States under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [X] clear, natural line impressed on the bank
[X] the presence of litter and debris
[X] changes in the character of soil
[ ] wetland boundary
[X] destruction of terrestrial vegetation
[ ] shelving
[ ] other

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated , prepared by .
[X] This office does not confirm your wetland boundary

Recommended by: [Signature] Date: 7/10/06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.



APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: City of Chicago, Dept of General Services PROJECT LOCATION/WATERWAY: 1142 North Branch Street, Chicago, IL /North Branch Chicago River

FILE NUMBER: 200600218 PROJECT REVIEW COMPLETED: [X] Office [ ] Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[X] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[ ] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[ ] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[X] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: CHICAGO LOOP.
[ ] U. S. Geological Survey Hydrologic Atlas:
[ ] USDA Natural Resources Conservation Service Soil Survey for Cook County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: CHICAGO LOOP, 1993.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles:
[ ] Aerials (Name & Date):
[ ] Advanced Identification Wetland Maps:
[ ] Site Visit Conducted on:
[ ] Other information:

Rationale for Basis (applies to any boxes checked above):

the project site is adjacent to the North Branch of the Chicago River which is a jurisdictional section 10 waters of the U.S.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [ ] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soil
[ ] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other:

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated , prepared by
[ ] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 7-11-06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: P.T. Ferro Company PROJECT LOCATION/WATERWAY: Northwest of the Intersection of Ferro Drive and Gougar Road in New Lenox, Will County, Illinois

FILE NUMBER: LRC-2006-539 PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site.

**Basis of Jurisdictional Determination:**

- There are no jurisdictional waters of the United States present on the project site
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))  
The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

**Information Reviewed**

- U. S. Fish and Wildlife Service National Wetland Inventory: JOLIET.
- U. S. Geological Survey Hydrologic Atlas: JOLIET, 89.
- USDA Natural Resources Conservation Service Soil Survey for Will County.
- U. S. Geological Survey 7.5-Minute Topographic Maps: JOLIET, 1993.
- U. S. Geological Survey 7.5-Minute Historic Quadrangles: \_\_\_\_\_.
- U. S. Geological Survey 15-Minute Historic Quadrangles: \_\_\_\_\_.
- Aerials (Name & Date): New Lenox, 1997
- Advanced Identification Wetland Maps: \_\_\_\_\_.
- Site Visit Conducted on: June 19, 2006
- Other information:

**Rationale for Basis (applies to any boxes checked above):** The tributary located on the subject is flows into Hickory Creek Hickory Creek flows into the Des Plaines River, a navigable waters of the U.S.

**Lateral Extent of Jurisdiction (33 CFR 328 and 329):**

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- the presence of litter and debris
- changes in the character of soil wetland boundary
- destruction of terrestrial vegetation
- shelving
- other:

**Basis for Declining Jurisdiction:**

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

**Confirmation of Wetland Boundaries**

- This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 11 Jul 06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology) Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: George Zehner PROJECT LOCATION/WATERWAY: McHenry County

FILE NUMBER: LRC-2006-838 PROJECT REVIEW COMPLETED: [X] Office [X] Field

Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S ) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [ ] U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_
[X] U. S. Geological Survey Hydrologic Atlas: CRYSTAL LAKE, HA 253.
[ ] USDA National Resources Conservation Service Soil Survey for McHenry County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: CRYSTAL LAKE, 1992.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_
[X] Aerial Photographs (Name & Date):1939, 2001
[X] Advanced Identification Wetland Maps: MCHENRY COUNTY..
[X] Site Visit Conducted on: 6/26/2006
[X] Other information: McHenry County Natural Areas Inventory

Rationale for Basis (applies to any boxes checked above): Lake Killarney drains east through a storm sewer and an unnamed tributary to the Fox River, a navigable waterway, and is therefore subject to Department of the Army regulations.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [X] clear, natural line impressed on the bank [X] destruction of terrestrial vegetation
[ ] the presence of litter and debris [ ] shelving
[ ] changes in the character of soil [ ] other:
[X] wetland boundary

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_.
[X] This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 7-6-2006

Approved by: \_\_\_\_\_ Date: 7-6-2006

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology) Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.



APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: American Legion Post #703

PROJECT LOCATION/WATERWAY: Fox Lake

FILE NUMBER: LRC-2006-483

PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site.

**Basis of Jurisdictional Determination:**

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

**Information Reviewed**

- U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_.
- U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_.
- USDA Natural Resources Conservation Service Soil Survey for Lake County.
- U. S. Geological Survey 7.5 Minute Topographic Maps: FOX LAKE, 1993.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_.
- U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_.
- Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002, & 2005
- Advanced Identification Wetland Maps: LAKE COUNTY.
- Site Visit Conducted on:
- Other information:

**Rationale for Basis (applies to any boxes checked above):** Fox Lake is part of the Fox Chain of Lakes and therefore a navigable water of the United States under the jurisdiction of the Department of the Army.

**Lateral Extent of Jurisdiction (33 CFR 328 and 329):**

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- destruction of terrestrial vegetation
- the presence of litter and debris
- shelving
- changes in the character of soil
- other
- wetland boundary

**Basis for Declining Jurisdiction:**

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

**Confirmation of Wetland Boundaries**

- This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_.
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ - S \_\_\_\_\_ Date: 7/10/06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Brad Ipsen PROJECT LOCATION/WATERWAY: Bluff Lake/Antioch

FILE NUMBER: LRC-2006-565 PROJECT REVIEW COMPLETED: [X] Office [X] Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[ ] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[ ] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[X] Section 10 waterway.

Information Reviewed

- [ ] U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_
[ ] U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_
[X] USDA Natural Resources Conservation Service Soil Survey for Lake County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: FOX LAKE, 1993.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_
[X] Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002, & 2005
[X] Advanced Identification Wetland Maps: LAKE COUNTY.
[X] Site Visit Conducted on: March 28, 2006
[ ] Other information:

Rationale for Basis (applies to any boxes checked above): Bluff Lake is part of the Fox Chain of Lakes and therefore a navigable water of the United States under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [X] clear, natural line impressed on the bank
[X] the presence of litter and debris
[ ] changes in the character of soil
[ ] wetland boundary
[X] destruction of terrestrial vegetation
[X] shelving
[ ] other

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_
[X] This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 7/10/06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.



APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Kipling Development PROJECT LOCATION/WATERWAY: Southwest of the Intersection of Mound Road and South River Road in Troy Township, Will County, Illinois

FILE NUMBER: LRC-2006-550 PROJECT REVIEW COMPLETED: [X] Office [ ] Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site
[ ] There are both waters of the United States and non-jurisdictional waters on the project site

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: CHANNAHON.
[X] U. S. Geological Survey Hydrologic Atlas: CHANNAHON, 362.
[X] USDA Natural Resources Conservation Service Soil Survey for Will County.
[X] U. S. Geological Survey 7.5-Minute Topographic Maps: CHANNAHON, 1993
[ ] U. S. Geological Survey 7.5-Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15-Minute Historic Quadrangles:
[X] Aerials (Name & Date):Troy Township, 1997
[ ] Advanced Identification Wetland Maps:
[ ] Site Visit Conducted on:
[ ] Other information:

Rationale for Basis (applies to any boxes checked above): Wetland 1 is an unnamed tributary to the DuPage River. The DuPage River drains into the Des Plaines River, a navigable waters of the U.S. Farmed Wetland 1 is adjacent to Wetland 1 and is therefore jurisdictional.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

- Ordinary High Water Mark indicated by:
[ ] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soil
[ ] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other:

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [X] This office concurs with your wetland delineation report dated January 4, 2006, prepared by Encap.
[ ] This office does not confirm your wetland boundary

Recommended by: [Signature] Date: 6 Jul 06

Approved by: [Signature] Date: 6 JUL 06

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology) Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987)

2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Senior Lifestyle Corporation PROJECT LOCATION/WATERWAY: 10-acre site located south of Eagle Road and west of McLean Boulevard in Elgin, Kane County, Illinois (SW 1/4 of Section 10, T41N R8E)

FILE NUMBER: 200600215 (LRC-2006-14013) PROJECT REVIEW COMPLETED: [X] Office [X] Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: ELGIN.
[X] U. S. Geological Survey Hydrologic Atlas: ELGIN, HA 147.
[X] USDA Natural Resources Conservation Service Soil Survey for Kane County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: ELGIN, 1992.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles:
[X] Aerial Photographs (Name & Date): Express Limited, 2004
[X] Advanced Identification Wetland Maps: KANE COUNTY
[X] Site Visit Conducted on: 3/28/06 by Jaimee Hammit, 4/18/06 by Jaimee Hammit and Kate Bliss, and 5/18/06 site meeting with Cowhey, Jaimee Hammit and Kate Bliss
[X] Other information: FEMA FIRM

Rationale for Basis (applies to any boxes checked above): Tyler Creek is a tributary of the Fox River and is therefore under the jurisdiction of the U.S. Army Corps of Engineers. There is wetland on-site that has a surface water tributary system connection to Tyler Creek and is therefore also under the jurisdiction of the U.S. Army Corps of Engineers. There is more wetland on-site than what is represented in Cowhey's Jurisdictional Wetland Delineation Report, dated July 27, 2005, but per their plan, the proposed development will not impact any wetland on the subject property.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [X] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soils
[X] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other:

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated , prepared by
[X] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 7/5/06

Approved by: [Signature] Date: 7/10/06

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Gary Law PROJECT LOCATION/WATERWAY: McHenry Co.

FILE NUMBER: LRC-2006-684 PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site.

**Basis of Jurisdictional Determination:**

- There are no jurisdictional waters of the United States present on the project site.  
The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

**Information Reviewed**

- U. S. Fish and Wildlife Service National Wetland Inventory: RICHMOND.
- U. S. Geological Survey Hydrologic Atlas: RICHMOND, HA 303.
- USDA National Resources Conservation Service Soil Survey for McHenry County.
- U. S. Geological Survey 7.5 Minute Topographic Maps: RICHMOND, 1992.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_
- U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_
- Aerial Photographs (Name & Date): 2004
- Advanced Identification Wetland Maps: MCHENRY COUNTY..
- Site Visit Conducted on: 3/23/06
- Other information:

**Rationale for Basis (applies to any boxes checked above):** The wetland and drainageway located on the subject property is tributary to the Fox River, a navigable waterway under Department of the Army jurisdiction.

**Lateral Extent of Jurisdiction (33 CFR 328 and 329):**

Ordinary High Water Mark indicated by:

- |  |  |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank         | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris                 | <input type="checkbox"/> shelving                              |
| <input type="checkbox"/> changes in the character of soil wetland boundary | <input type="checkbox"/> other:                                |

**Basis for Declining Jurisdiction:**

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

**Confirmation of Wetland Boundaries**

- This office concurs with your wetland delineation report dated April 21, 1006, prepared by Hey and Associates, Inc.
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 7/5/06

Approved by: \_\_\_\_\_ Date: 7/6/06

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology) Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987)

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: River & Benton, LLC PROJECT LOCATION/WATERWAY: Between Benton and Cross Streets in Aurora, Kane County, Illinois (SW 1/4 of Section 22, T38N R8E)

FILE NUMBER: LRC-2006-798 PROJECT REVIEW COMPLETED: [X] Office [X] Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce...
[ ] The presence of interstate waters (including interstate wetlands^1).
[ ] The presence of a tributary to an interstate water or other water of the US.
[ ] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US...
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[X] Section 10 waterway.

Information Reviewed

- [ ] U. S. Fish and Wildlife Service National Wetland Inventory:
[ ] U. S. Geological Survey Hydrologic Atlas:
[ ] USDA Natural Resources Conservation Service Soil Survey for Kane County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: AURORA NORTH, 1993.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles:
[ ] Aerial Photographs (Name & Date):
[ ] Advanced Identification Wetland Maps:
[X] Site Visit Conducted on: May 25, 2006 by Jaimee W. Hammit of the USACE, Chicago District
[X] Other information: The information submitted by Patrick Engineering, received by this office on May 23, 2006

Rationale for Basis (applies to any boxes checked above): The Fox River is a Section 10 navigable waterway and is under the jurisdiction of the U.S. Army Corps of Engineers.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [X] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soils
[ ] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other:

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated , prepared by
[ ] This office does not confirm your wetland boundary.

Recommended by: \_\_\_\_\_ Date: 7/5/06

Approved by: \_\_\_\_\_ Date: 7/5/06

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Network Real Estate Group, Ltd. PROJECT LOCATION/WATERWAY: Southeast of the  
Intersection of South 108th Avenue and Route 30 in Frankfort, Will County, Illinois  
FILE NUMBER: LRC-2006-574 PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site

Basis of Jurisdictional Determination:

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

Information Reviewed

- U. S. Fish and Wildlife Service National Wetland Inventory: FRANKFORT.
- U. S. Geological Survey Hydrologic Atlas: FRANKFORT, 231.
- USDA Natural Resources Conservation Service Soil Survey for Will County.
- U. S. Geological Survey 7.5-Minute Topographic Maps: FRANKFORT, 1990.
- U. S. Geological Survey 7.5-Minute Historic Quadrangles: \_\_\_\_\_.
- U. S. Geological Survey 15-Minute Historic Quadrangles: \_\_\_\_\_.
- Aerials (Name & Date): Frankfort, 1997
- Advanced Identification Wetland Maps: \_\_\_\_\_.
- Site Visit Conducted on: June 19, 2006
- Other information:

Rationale for Basis (applies to any boxes checked above): The tributaries located on the subject property drains into Hickory Creek. Hickory Creek flows into the Des Plaines River, a navigable waters of the U.S.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- the presence of litter and debris
- changes in the character of soil
- wetland boundary
- destruction of terrestrial vegetation
- shelving
- other:

Basis for Declining Jurisdiction:

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- This office concurs with your wetland delineation report dated February 16, 2006, prepared by JFNew.
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 5 Jul 06

Approved by: \_\_\_\_\_ Date: 5 JUL 2006

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Lockport Township High School District PROJECT LOCATION/WATERWAY: Southeast of Cedar Road and 151<sup>st</sup> Street in Homer Glen, Will County, Illinois

FILE NUMBER: 200600441 (LRC-2006-23514) PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site

**Basis of Jurisdictional Determination:**

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))  
The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway

**Information Reviewed**

- U. S. Fish and Wildlife Service National Wetland Inventory: MOKENA.
- U. S. Geological Survey Hydrologic Atlas. MOKENA, 204.
- USDA Natural Resources Conservation Service Soil Survey for Will County.
- U. S. Geological Survey 7.5-Minute Topographic Maps: MOKENA, 1993
- U. S. Geological Survey 7.5-Minute Historic Quadrangles: \_\_\_\_\_
- U. S. Geological Survey 15-Minute Historic Quadrangles: \_\_\_\_\_
- Aerials (Name & Date): Homer Glen, Illinois
- Advanced Identification Wetland Maps: \_\_\_\_\_.
- Site Visit Conducted on: March 10, 2006
- Other information:

**Rationale for Basis (applies to any boxes checked above):** The wetland on the subject property drains into Fiddymet Creek, which then flows into the Des Plaines River, a navigable waters of the U.S.

**Lateral Extent of Jurisdiction (33 CFR 328 and 329):**

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- the presence of litter and debris
- changes in the character of soil
- wetland boundary
- destruction of terrestrial vegetation
- shelving
- other:

**Basis for Declining Jurisdiction:**

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

**Confirmation of Wetland Boundaries**

- This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 5 Jul 06

Approved by: \_\_\_\_\_ Date: 5 Jul 2006

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology) Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.