SECTION I: BACKGROUND INFORMATION
A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): March 28, 2014
B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, Anthony Iatarola, LRC-2014-208
C. PROJECT LOCATION AND BACKGROUND INFORMATION: NW Corner of Route 59 and Route 72
   State: Illinois  County/parish/county: Cook  City: Hoffman Estates
   Center coordinates of site (lat/long in degree decimal format): Lat. 42.08531°N, Long. -88.19403° W.
   Universal Transverse Mercator: NAD 83
   Name of nearest waterbody: Spring Creek
   Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Fox River
   Name of watershed or Hydrologic Unit Code (HUC): Upper Fox (07120006)
   ☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
   ☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

SECTION II: SUMMARY OF FINDINGS
A. RHA SECTION 10 DETERMINATION OF JURISDICTION.
   There are no “navigable waters of the U.S.” within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]
   ☐ Waters subject to the ebb and flow of the tide.
   ☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.
   There are “waters of the U.S.” within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]
   1. Waters of the U.S.
      a. Indicate presence of waters of U.S. in review area (check all that apply): ¹
         ☐ TNWs, including territorial seas
         ☐ Wetlands adjacent to TNWs
         ☒ Relatively permanent waters ² (RPWs) that flow directly or indirectly into TNWs
         ☒ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
      b. Identify (estimate) size of waters of the U.S. in the review area:
         Non-wetland waters: 5000 linear feet: 10 width (ft) and/or acres.
         Wetlands: 30 acres.
      c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual
         Elevation of established OHWM (if known): .

SECTION III: CWA ANALYSIS
A. TNWs AND WETLANDS ADJACENT TO TNWs
   The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.
   1. TNW
      Identify TNW: Pick List
   2. Wetland adjacent to TNW
      Summarize rationale supporting conclusion that wetland is “adjacent”: .

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.
² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least “seasonally” (e.g., typically 3 months).
D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area:
   - [ ] TNWs: linear feet width (ft), Or; acres.
   - [ ] Wetlands adjacent to TNWs: acres.

2. RPWs that flow directly or indirectly into TNWs.
   - [x] Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: Spring Creek is a blue-line stream on the USGS maps.
   - [x] Tributaries of TNWs where tributaries have continuous flow “seasonally” (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: .

   Provide estimates for jurisdictional waters in the review area (check all that apply):
   - [x] Tributary waters: 5000 linear feet width (ft).
   - [ ] Other non-wetland waters: acres.
   - Identify type(s) of waters: .

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.
   - [x] Wetlands directly abutting an RPW and thus are jurisdictional as adjacent wetlands.
   - [x] Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: Wetlands extend to both sides of Spring Creek as riparian wetlands, and have no separation from the creek.

   Provide acreage estimates for jurisdictional wetlands in the review area: 30 acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
   - [x] Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Wetland Delineation Report by Midwest Ecological.
   - [x] Data sheets prepared/submitted by or on behalf of the applicant/consultant.
   - [x] Office concurs with data sheets/delineation report.
   - [ ] Office does not concur with data sheets/delineation report.
   - [ ] Data sheets prepared by the Corps: .
   - [ ] Corps navigable waters’ study: .
   - [ ] USGS NHD data.
   - [x] USGS 8 and 12 digit HUC maps.
   - [x] U.S. Geological Survey map(s). Cite scale & quad name: Streamwood 7.5”, 1993, Pick List, Pick List, Pick List,
   - [ ] National wetlands inventory map(s). Cite name: Streamwood, .
   - [ ] State/Local wetland inventory map(s): Pick List, Pick List.
   - [ ] FEMA/FIRM maps: Panel 155 of 832.
   - [ ] 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
   - [x] Photographs: Aerial (Name & Date): 2013.
   - [x] Previous determination(s). File no. and date of response letter: .
   - [ ] Applicable/supporting scientific literature: .
   - [ ] Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: The large wetland complex surrounds both sides of Spring Creek as it flows through the farmed parcel; and Spring Creek is an RPW.
SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): April 15, 2014

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, City of Braidwood, LRC-2014-233

C. PROJECT LOCATION AND BACKGROUND INFORMATION: East of I-55, South of Coal City Road
   State: Illinois   County/parish/borough: Will   City: Braidwood
   Center coordinates of site (lat/long in degree decimal format): Lat. 47.284°N, Long. -88.231° W.
   Universal Transverse Mercator: NAD 83
   Name of nearest waterbody: Kankakee River Tributary
   Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Kankakee River
   Name of watershed or Hydrologic Unit Code (HUC): Kankakee (07120001)
   Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
   Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
   ☒ Office (Desk) Determination. Date: April 15, 2014
   [ ] Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.
   There are no “navigable waters of the U.S.” within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]
   [ ] Waters subject to the ebb and flow of the tide.
   [ ] Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Explain: Defined in People of State of Ill. ex rel. Scott v. Hoffman, No. P-CIV-76-45, slip op. at 7 (S.D.Ill. Jan. 20, 1979).

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.
   There are “waters of the U.S.” within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

   1. Waters of the U.S.
      a. Indicate presence of waters of U.S. in review area (check all that apply): 1
         [ ] TNWs, including territorial seas
         [ ] Wetlands adjacent to TNWs
         ☒ Relatively permanent waters 2 (RPWs) that flow directly or indirectly into TNWs
         [ ] Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
      b. Identify (estimate) size of waters of the U.S. in the review area:
         Non-wetland waters: 3000 linear feet: 5 width (ft) and/or acres.
         Wetlands: acres.
      c. Limits (boundaries) of jurisdiction based on: Established by OHWM.
         Elevation of established OHWM (if known): .

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs
   The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

   1. TNW
      Identify TNW: Pick List

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

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1 Boxes checked below shall be supported by completing the appropriate sections in Section III below.
2 For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least “seasonally” (e.g., typically 3 months).
D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
   - [ ] TNWs: linear feet width (ft), Or, acres.
   - [ ] Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**
   - [X] Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: Tributary appears on multiple aerial photographs as having flow.
   - [ ] Tributaries of TNW where tributaries have continuous flow “seasonally” (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally:

   Provide estimates for jurisdictional waters in the review area (check all that apply):
   - [X] Tributary waters: 3000 linear feet width (ft).
   - [ ] Other non-wetland waters: acres.

   Identify type(s) of waters:

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
   - [ ] Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
   - [ ] Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

SECTION IV: DATA SOURCES.

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

   - [X] Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:.
   - [ ] Data sheets prepared/submitted by or on behalf of the applicant/consultant.
     - [ ] Office concurs with data sheets/delineation report.
     - [ ] Office does not concur with data sheets/delineation report.
   - [ ] Data sheets prepared by the Corps:.
   - [ ] Corps navigable waters’ study:.
   - [X] USGS NHD data:.
   - [X] USGS 8 and 12 digit HUC maps:.
   - [X] U.S. Geological Survey map(s). Cite scale & quad name: Wilmington 7.5\" , 1993, Pick List, Pick List, Pick List,.
   - [X] National wetlands inventory map(s). Cite name: Wilmington,.
   - [X] State/Local wetland inventory map(s): Pick List, Pick List,.
   - [X] FEMA/FIRM maps:.
   - [X] 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
   - [ ] Previous determination(s). File no. and date of response letter:.
   - [ ] Applicable/supporting scientific literature:.
   - [ ] Other information (please specify):.

B. ADDITIONAL COMMENTS TO SUPPORT JD: Creek is a relatively permanent water exhibiting year-round flow, and is tributary to the Kankakee River (TNW).
SECTION I: BACKGROUND INFORMATION
A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 23 April 2014
B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, FKL Ventures, LLC, LRC-2014-264
C. PROJECT LOCATION AND BACKGROUND INFORMATION: North of 185th Street, East of 80th Avenue
   State: Illinois  County/parish/borough: Will  City: Tinley Park
   Center coordinates of site (lat/long in degree decimal format): Lat. 41.5350°N, Long. -87.8076° W.
   Universal Transverse Mercator: NAD 83
   Name of nearest waterbody: Midlothian Creek
   Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Des Plaines River
   Name of watershed or Hydrologic Unit Code (HUC): Des Plaines (07120004)
   Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
   Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.
D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
   ☒ Office (Desk) Determination. Date: 15 May 2014
   ☒ Field Determination. Date(s): 12 May 2014

SECTION II: SUMMARY OF FINDINGS
A. RHA SECTION 10 DETERMINATION OF JURISDICTION.
   There are no "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]
   ☐ Waters subject to the ebb and flow of the tide.
   ☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
B. CWA SECTION 404 DETERMINATION OF JURISDICTION.
   There are "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]
   1. Waters of the U.S.
      a. Indicate presence of waters of U.S. in review area (check all that apply): 1
         ☐ TNWs, including territorial seas
         ☐ Wetlands adjacent to TNWs
         ☒ Relatively permanent waters2 (RPWs) that flow directly or indirectly into TNWs
         ☒ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
      b. Identify (estimate) size of waters of the U.S. in the review area:
         Non-wetland waters: linear feet: width (ft) and/or acres.
         Wetlands: 1.5 acres.
      c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual
         Elevation of established OHWM (if known):

SECTION III: CWA ANALYSIS
A. TNWs AND WETLANDS ADJACENT TO TNWs
   The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.
   1. TNW
      Identify TNW: Pick List
   2. Wetland adjacent to TNW
      Summarize rationale supporting conclusion that wetland is “adjacent”:

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1 Boxes checked below shall be supported by completing the appropriate sections in Section III below.
2 For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least “seasonally” (e.g., typically 3 months).
D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area:
   - TNWs: linear feet width (ft), Or; acres.
   - Wetlands adjacent to TNWs: acres.

2. RPWs that flow directly or indirectly into TNWs.
   - Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: Tributary is 8-10 feet wide and 2-4 feet deep, and shows up on all available aerials as having permanent flow.
   - Tributaries of TNW where tributaries have continuous flow “seasonally” (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: .

   Provide estimates for jurisdictional waters in the review area (check all that apply):
   - Tributary waters: linear feet width (ft).
   - Other non-wetland waters: acres.

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.
   - Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
   - Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: The wetland historically abutted the creek, and a portion of the wetland was excavated for detention, but they are all still connected now.

   Provide acreage estimates for jurisdictional wetlands in the review area: 1.5 acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
   - Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: CBBEL.
   - Data sheets prepared/submitted by or on behalf of the applicant/consultant: .
   - Office concurs with data sheets/delineation report: .
   - Office does not concur with data sheets/delineation report: .
   - Data sheets prepared by the Corps: .
   - Corps navigable waters’ study: .
   - USGS NHD data: .
   - USGS 8 and 12 digit HUC maps: .
   - National wetlands inventory map(s). Cite name: Tinley Park, .
   - State/Local wetland inventory map(s): Pick List, Pick List, .
   - FEMA/FIRM maps: .
   - 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
   - or Other (Name & Date): .
   - Previous determination(s). File no. and date of response letter: .
   - Applicable/supporting scientific literature: .
   - Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: Wetland is well established, and was present before building and pond constructed; and the creek has RPW flow that it abuts to.