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

APPLICANT: Bridge Development Partners
PROJECT LOCATION/WATERWAY: South of Daviey Road and West of South Road in Woodridge, Will County, Illinois
FILE NUMBER: 200401055
PROJECT REVIEW COMPLETED: OFFICE FIELD

Approved Jurisdictional Determination (JD) (For Sijss regulated under 33 CFR 320-330). An approved JD is an irrevocable 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 jurisdictional waters of the United States present 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 328.5(a)(1))
☐ The presence of intermittent waters (including intermittent wetlands) (33 CFR 328.3(a)(5))
☐ The presence of a tributary to an interstate or foreign water of the U.S. (33 CFR 328.3(a)(5))
☐ The presence of wetlands adjacent to (bordering, contiguous, or neighboring) to interstate or other waters of the U.S., except for those wetlands adjacent to other wetlands. (33 CFR 328.3(a)(7))
☐ The presence of an isolated water (e.g., interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, marsh, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed

☐ U. S. Fish and Wildlife Service National Wetland Inventory: ROMEOVILLE.
☐ USGS Natural Resources Conservation Service Soil Survey for Will County.
☐ U. S. Geological Survey 7.5-Minute Historic Quadrangles: ROMEOVILLE
☐ U. S. Geological Survey 15-Minute Historic Quadrangles: 
☐ Aquatic (Name & Date): Woodridge, 2002.
☐ Advanced Identification Wetland Map: 
☐ Site Visit Conducted on: 20 July 2004
☐ Other information: NRCS Certified Demarcation

Rationale for Basis ( applies to any bases checked above): The drainage swale located on the subject property flows into a tributary that is hydrologically connected to the DuPage River and is therefore jurisdictional. The four wetlands located on the subject property are isolated and therefore not jurisdictional.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
☐ Ordinary High Water Mark indicated by:
☐ clear, natural tone impressed on the bank
☐ presence of litter and debris
☐ changes in the character of the soil
☐ destruction of terrestrial vegetation
☐ wetland boundary
☐ other:

Basis for Declining Jurisdiction:

☐ Unable to confirm the presence of waters listed in 33 CFR 328.5(a)(1), 328.5(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 likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Helpful agencies declined to approve jurisdiction on the basis of 328.3(a)(5) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries
☐ This office concurs with your wetland description report dated , prepared by
☐ This office does not confirm your wetland boundary

Recommended by: 

Agreed by: 

Date: 2/6/05

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

☐ Wetlands separated from other waters of the U.S. by man-made dike or barriers, natural river borrow, beach dikes, and the like are also jurisdictional.
INFORMATION SHEET
Determination of No Jurisdiction for Isolated, Non-Navigable, Intra-State Waters Resulting from U.S. Supreme Court Decision in Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers

DISTRICT OFFICE: Chicago
H.N. NUMBER: 206401055

REGULATORY PROJECT MANAGER: Melony Cruz
Date: 21 Jul 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office
At the project site
(Y/N) Date: 21 Jul 2005

PROJECT LOCATION INFORMATION:
State:
County:
Center coordinates of site by latitude & longitude coordinates:
Approximate size of site/property (including uplands & inaccess):
Name of waterway or watershed:

SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
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*Check appropriate boxes that best describe type of isolated, non-navigable intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Risk Factors:

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<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
<th>Use Best Professional Judgment</th>
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<td>Predetermined to Occur</td>
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</table>

*Check appropriate box that best describe potential for applicability of the Migratory Bird Risk to apply to criteria, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource areas.

TYPE OF DETERMINATION:

PRELIMINARY □ \ Or APPROVED □

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – criteria used to determine NJD, including information reviewed to assess potential navigability or interstate commerce connections; and paragraph 4 – site information to waters of the U.S. worthy of consideration):
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT:  Mr. & Mrs. Snugg  PROJECT LOCATION/WATERWAY:  Southwest of the intersection of Bruce Road and Bridge Street in Lockport, Will County, Illinois
FILE NUMBER:  2004/002 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 wetlands 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 dib 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))
☐ 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 (i.e., 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: IOLJEFT.
☐ USDI National Resources Conservation Service Spot Survey for Will County.
☐ U. S. Geological Survey 7.5-Minute Historical Quadrangles:
☐ U. S. Geological Survey 15-Minute Historical Quadrangles:
☐ Acetats (Name & Date): Lockport, 2002
☐ Advanced Identification Wetland Maps:
☐ Site Visit Conducted: December 14, 2005
☐ Other information: NCRS Certified Determination

Rationale for Basis (applies to any boxes checked above): Wetland 1, Farmed Wetland 2 and Wetland 6 are isolated and therefore not jurisdictional. However, 1 Waters of the U.S. 1 flows into Fraktion Run. Fraktion Run drains into the Des Plaines River, a navigable "waters of the U.S." Farm Wetlands B-S are adjacent to "Waters of the U.S." and are therefore jurisdictional.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
☐ Ordinary High Water Mark indicated by:
☐ the presence of litter and debris
☐ changes in the character of soil
☐ wetland boundary
☐ destruction of terrestrial vegetation
☐ shoreline
☐ 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)(7) through 328.3(a)(7)
☐ Area under consideration is 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 concur with your wetland boundary

Recommended by: [Original Signed] Date: 5/28/05

Approved by: [Original Signed] Date: 3/18/05

**INFORMATION SHEET**

**DETERMINATION OF NO JURISDICTION FOR NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE**: Chicago  
**FILE NUMBER**: 200001002  
**REGULATORY PROJECT MANAGER**: Melyssa Cruz  
**Date**: 22 January 2005

**PROJECT REVIEW/DETERMINATION COMPLETED**: At the project site Y  
**Date**: 14 December 2004

**PROJECT LOCATION INFORMATION:**
- **State**: Illinois
- **County**: Will
- **Center coordinates of site by latitude & longitudinal coordinates**: 41°34'2.48" N 88°03'1.35" E
- **Approximate size of site property (including uplands & in acres)**: 40 acres
- **Name of waterway or watershed**: Des Plaines

**SITE CONDITIONS:**

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<th>Type of aquatic resource*</th>
<th>0-1 ac</th>
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*Check appropriate boxes that best describe the type of isolated, non-navigable, intra-state water present and best estimate for size of jurisdictional aquatic resource area.

**Migratory Bird Rule Factors:**

<table>
<thead>
<tr>
<th>If Known:</th>
<th>If Unknown:</th>
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<tbody>
<tr>
<td>Use Best Professional Judgment</td>
<td>Use Best Professional Judgment</td>
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<tr>
<td>Yes</td>
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</table>

- Is it or would it be used as habitat for birds protected by Migratory Bird Treaty?
- Is it or would it be used as habitat for other migratory birds that cross state lines?
- Is it or would it be used as habitat for endangered species?
- Is it used to irrigate crops sold in interstate commerce?

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird rule to apply to entity, non-jurisdictional, isolated, unconnected, intra-state aquatic resource system.

**TYPE OF DETERMINATION:**

- Preliminary [X]
- Or Approval [ ]

**OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJID (e.g., paragraphs 1 - 5):** site conditions paragraphs 2-3 - rationale used to determine NJID, including information review of access potential navigation or interstate commerce connections; and paragraphs 4 - site information on waters of the U.S. occurring unaltered.
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Carl Rappole/Winchester Builders  
PROJECT LOCATION/WATERWAY: Harvard/McArdy Co.

FILE NUMBER: 200500065  
PROJECT REVIEW COMPLETED: [Office/Field]

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

Based on available information:
☐ There are no waters on the project site.
☐ There are no navigable waters on the project site.
☐ There are no 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 water of the U.S.) (33 CFR 328.3(a)(1)(i))
☐ The presence of interstate waters (including interstate wetlands) (33 CFR 328.3(a)(2)(i))
☐ 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 to (bordering, contiguous, or neighboring) to interstate or other waters of the U.S., 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 non-navigable streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or stranded ponds)
☐ Other: Section 10 waterway.

Information Reviewed:
☐ U. S. Fish and Wildlife Service National Wetland Inventory: HARVARD.
☐ USDA National Resources Conservation Service Soil Survey for McHenry County.
☐ U. S. Geological Survey 7.5 Minute Hydrologic Quadrangle:
☐ U. S. Geological Survey 15 Minute Historical Quadrangles:
☐ Aerial Photographs (Name & Date): 2002
☐ Advanced Identification Wetland Maps: MCHENRY COUNTY.
☐ Site Visit Conducted on: December 2, 2004
☐ Other information:

Rationale for Basis (appl) to any boxes checked above: Wetland 1 in the wetland delineation report exhibits a hydrologic connection to a navigable waterway. Wetland 1 drains to Fiscaun Creek, which flows to the Kilbourn River. The Kilbourn River is tributary to the Rock River, a navigable waterway under Department of the Army jurisdiction. Wetland 2 and any other potential wetland areas are considered isolated and not under Department of the Army jurisdiction.

Latest Extent of Jurisdiction (33 CFR 328 and 329):
☐ Ordinary High Water Mark indicated by:
☐ cairn, natural line impressed on the bank
☐ changes in the character of soil
☐ wetland boundary
☐ destruction of terrestrial vegetation
☐ shoring
☐ 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 be within jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is very 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:

Approved by: Date:

3Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (RT Manual) (i.e., occurrence of hydrophytic vegetation, hydro sites and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

1Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river banks, beach dunes, and the like are also adjacent.
INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago
FILE NUMBER: 200550063

REGULATORY PROJECT MANAGER: Kate Blax Date: 2/2/05

PROJECT REVIEW/DETERMINATION COMPLETED: At the project site Y/N Date: 12/2/04

PROJECT LOCATION INFORMATION:
- Static: Illinois
- County: McHenry
- Center coordinates of site by latitude & longitudinal coordinates: 42°25'51.7936', 88°37'12.8044'
- Approximate size of site/property (including uplands & in-accres): 100
- Name of waterway or watershed: Kishwaukee

SITE CONDITIONS:

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<th>Type of aquatic resource</th>
<th>0-1 ac</th>
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<td>Vernal pool</td>
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</table>

*Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors:

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
<th>Use Best Professional Judgment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
<td>Projected to Own</td>
</tr>
</tbody>
</table>

- Is or would it be used as habitat for birds protected by Migratory Bird Treaty?
- Is or would it be used as habitat for endangered species?
- Is used to (or may or will) in interstate commerce?

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ Or Approved ☒

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Kemperhill Development Group PROJECT LOCATION/WATERWAY: north of East New York Street, East of Ida Road, and west of common drive, Aurora, DuPage County, Illinois

FILE NUMBER: 200580079 PROJECT REVIEW COMPLETED: Office Field

Approved Jurisdictional Determination (JUD) (For sites regulated under 33 CFR 320-330). An approved JUD 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 reasonably foreseeable for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (c.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of intermittent waters (including interstate wetlands) (33 CFR 328.3(a)(2))
☐ The presence of a tributary to an intermittent water or other water of the U.S. (33 CFR 328.3(a)(5))
☐ The presence of wetlands adjacent (bordering, contiguous, or neighboring) to intermittent or other waters of the U.S., except for those wetlands adjacent to other wetlands. (33 CFR 328.3(a)(7))
☐ The presence of an isolated water (e.g., intratidal lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, slough, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed:
☐ U.S. Fish and Wildlife Service National Wetland Inventory: NAPERVILLE.
☐ USDA Natural Resources Conservation Service Soil Survey for DuPage County.
☐ 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: DUPage COUNTY:
☐ Site Visit Conducted on: February 1, 2005
☐ Other information: wetland delineation prepared by V3 Consultants dated October 2004

Rationale for Basis (applies to any boxes checked above): Both onsite wetlands do not have a hydrological connection to nearby Waunica Creek, therefore they are isolated.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
☐ clear, natural line impressed on the bank
☐ the presence of liter and debris
☐ changes in the character of soil
☐ destruction of terrestrial vegetation
☐ soil sloping
☐ 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 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: ___________________________ Date: 2-10-05

Approved by: ___________________________ Date:

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (37 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 (37 Manual).

2 Wetlands separate from other waters of the U.S. by man-made dikes or barriers, natural levees, beaver dams, and the like are also adjacent.
**Determination of No Jurisdiction for Isolated, Non-Navigable, Intra-State Waters Resulting from U.S. Supreme Court Decision in Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers**

**District Office:** Chicago  
**File Number:** 200500079  
**Regulatory Project Manager:** Dioda Willis  
**Date:** February 10, 2005

**Project Review/Determination Completed:**  
- In the office (Y)  
- At the project site (Y)  
**Project Location Information:**  
- State: Illinois  
- County: DuPage  
- Center coordinates of site by latitude & longitudinal coordinates: 41°53'42"N 88°33'10"W  
- Approximate size of site/property (including uplands & in-acres): 27 acres

**Site Conditions:**

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
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<th>3-5 ac</th>
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<th>10-25 ac</th>
<th>25-50 ac</th>
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<th>Linear feet</th>
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*Check appropriate box that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.*

**Migratory Bird Rule Factors:**

- Is or would be used as habitat for birds protected by Migratory Bird Treaty?
  - If Known
  - If Unknown
  - Use Best Professional Judgment

- Is or would be used as habitat by other migratory birds that cross state lines?
  - If Known
  - If Unknown
  - Use Best Professional Judgment

- Is or would be used as habitat for endangered species?
  - If Known
  - If Unknown
  - Use Best Professional Judgment

- Is used to irrigate crops sold in interstate commerce?
  - If Known
  - If Unknown
  - Use Best Professional Judgment

*Check appropriate box that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.*

**Type of Determination:**  
- Preliminary [ ]  
- Or Approved [ ]

**Optional Additional Information Supporting NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):**
APPLICANT: The Alter Group PROJECT LOCATION/WATERWAY: Detention Pond Southwest of the Intersection of Montgomery Scott and Elmwood Road at Mount Prospect, Cook County, Illinois (Section 23, T41N, R11E).

FILE NUMBER: 36950/308 PROJECT REVIEW COMPLETED: Office Field

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

Based on available information:
☐ There are no waters on the project site.
☐ There are no 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 tributary 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))
☐ The presence of a tributary to an interstate water or other water of the U.S. (33 CFR 328.3(a)(3))
☐ The presence of wetlands adjacent to (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., impound 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 Historic Quadrangles:
☐ U.S. Geological Survey 15 Minute Historic Quadrangles:
☐ Airsat (Name & Date): Aerial Photo1999
☐ Advanced Identification Wetland Maps
☐ Site Visit Conducted on: 3 February 2005
☐ Other information:

Rationale for Basis (applies to any boxes checked above):
Open water pond or property was constructed in upland soils for the purpose of detention and is still being used for the same.

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
☐ 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 326, subsection 328.3(a)(1), 328.3(a)(2), or 328.3(a)(3) through 328.3(a)(7)
☐ Area under consideration is 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 6 January 2005, prepared by this officer.
☐ This office does not confirm your wetland boundary.

Recommended by: ORIGINAL SIGNED

Approved by: Date: 2/14/05

Footnotes:
1. Wetlands are identified and delineated using the methods and criteria established in the Gross Wetland Delineation Manual (97 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 (97 Manual).
2. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river courses, beach dunes, and the like are also jurisdictional.
**INFORMATION SHEET**
**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE: Chicago**

**FILE NUMBER:**  200500308  
**Date:**  14 February 2005

**REGULATORY PROJECT MANAGER:**  Steve Capano  
**Date:**  3 February 2005

**PROJECT REVIEW/DETERMINATION COMPLETED:**
- In the office: Y  
- At the project site: Y  
- Illinois:  
  - State:  Illinois  
  - County:  Cook  
  - Center coordinates of site by latitude & longitudinal coordinates: 43-2-10.2340; 87-56-39.0027  
  - Approximate size of site/property (excluding uplands & in acres): 5  
  - Name of waterway or waterbody: Des Plaines

**SITE CONDITIONS:**

<table>
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<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-5 ac</th>
<th>5-10 ac</th>
<th>10-20 ac</th>
<th>25-50 ac</th>
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1/Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

**Migratory Bird Rule Factors:**

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown Use Best Professional Judgment</th>
<th>Not Able To Make Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
<td>Predicted to Occur</td>
</tr>
<tr>
<td>Is it would be used as habitat for birds protected by Migratory Bird Treaty?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Is it would be used as habitat by other migratory birds that cross state line?</td>
<td>☒</td>
<td>☐</td>
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<tr>
<td>Is it would be used as habitat for endangered species?</td>
<td>☐</td>
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<tr>
<td>Is it used to irrigate crops sold in interstate commerce?</td>
<td>☒</td>
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</table>

1/Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:**

- Preliminary ☐
- Or Approved ☒

**OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD** 

- **(e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):**
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 328-338). 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 intermittent waters (including intermittent wetlands) (33 CFR 328.3(a)(2))
[ ] The presence of tributary to an interstate or other water of the US. (33 CFR 328.3(a)(3))
[ ] The presence of wetlands adjacent* (bordering, contiguous, or neighboring) to intermittent 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 intermittently 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: STEGGR.
[ ] USDA Natural Resources Conservation Service Soil Survey for Cook County.
[ ] U.S. Geological Survey 7.5 Minute Historic Quadrangles:

[ ] U.S. Geological Survey 15 Minute Historic Quadrangles:

[ ] Aerials (Name & Date) - 3D Photo 1999 and 2002

[ ] Advanced [Photocitation Wetland Maps]:

[ ] Site Visit Conducted on: 30 November 2004

Other information: Storm sewer maps from Richton Park and Park Forest.

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

Wetlands 1, 2, and 3 do not appear to exhibit a hydrologic surface connection to navigable waters. Wetland 4 is part of a large wetland complex that continues offsite to the northeast. The complex drains into a storm sewer that feeds east and daylight again in Kenosha Park in Park Forest. In the northeast corner of the park it drains into another storm sewer, then to the northeast into a ditch in Central Park north of Lakeshore Blvd. This ditch drains to Thorn Creek then the Little Calumet River, a navigable water. Wetland 4 is under jurisdiction of this office.

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

Ordinary High Water Mark indicated by:

[ ] close, natural line impressed on the bank
[ ] destruction of terrestrial vegetation
[ ] the presence of litter and debris
[ ] shearing
[ ] 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)(6) 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]

Conformation of Wetland Boundaries:

This office concurs with your wetland delineation report dated 25 October 2004, prepared by CB Burke Engineering. This Office does not confirm your wetland boundary.

Recommended by: [Signature]

Date: 14/ Feb/ 05

Approved by: [Signature]

Date: 14/ Feb/ 05

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1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (67 Manual) i.e., occurrence of hydrophytic vegetation, hydrologic regime, 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 bars, and ditches, and the like are also adjacent.
INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago
FILE NUMBER: 300500107

REGULATORY PROJECT MANAGER: Steve Gagnon
Date: 11 February 2005

PROJECT REVIEW/DETERMINATION COMPLETED:
In the office (Y/N) Date:
At the project site (Y/N) Date: 30 November 2004

PROJECT LOCATION INFORMATION:
State: Illinois
County: Cook
Center coordinates of site by latitude & longitudinal coordinates: 41° 28.2794, 87° 42.3778W
Approximate size of site/property (including uplands & in acres): 35
Name of waterway or watershed: Little Calumet River

SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<tr>
<td>0-1 ac</td>
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<tr>
<td>1-3 ac</td>
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<tr>
<td>3-5 ac</td>
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<td>5-10 ac</td>
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<tr>
<td>≥10 ac</td>
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<tr>
<td>&gt; 50 ac</td>
</tr>
<tr>
<td>Lies more than 500 feet</td>
</tr>
<tr>
<td>Unknown</td>
</tr>
</tbody>
</table>

1 Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factor:

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Use Best Professional Judgment</td>
<td></td>
</tr>
<tr>
<td>Predicted to Occur</td>
<td>Not Expected to Occur</td>
</tr>
</tbody>
</table>

Is ac would be used as habitat for birds protected by Migratory Bird Treaty?

Is ac would be used as habitat by other migratory birds that cross state lines?

Is ac would be used as habitat for endangered species?

Is ac used to irrigate crops sold in interstate commerce?

TYPE OF DETERMINATION: Preliminary □ Or Approved □

OPTIONAL, ADDITIONAL INFORMATION SUPPORTING NJO (e.g., paragraph 1 – site conditions; paragraphs 2,3 – rationale used to determine NJO, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):
APPLICANT: Marengo Development LLC  PROJECT LOCATION/WATERWAY: Marengo, McHenry Co.

FILE NUMBER: 200580033  PROJECT REVIEW COMPLETED: [Office: Field]

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

☐ 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 328.5(a)(1))
☐ The presence of interstate waters (including interstate wetlands)7. (33 CFR 328.3(a)(2))
☐ The presence of a navigable to an interstate water or other water of the US. (33 CFR 328.3(a)(5))
☐ The presence of wetlands adjacent7. (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, mudflats, 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: MARENGO SOUTH.
☐ U.S. Geological Survey Hydrologic Atlas:
☐ USDA Natural Resources Conservation Service Soil Survey for McHenry County.
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles:
☐ U.S. Geological Survey 15 Minute Historic Quadrangles:
☐ Aerial Photographs (Name & Date): 2001
☐ Advanced Identification Wetland Maps: MCHENRY COUNTY...
☐ Site Visit Conducted on: November 16, 2004
☐ Other information:

Rationale for Basis (applies to boxes checked above): The wetlands on the subject property are isolated and do not exhibit a hydrologic connection to a navigable waterway. Therefore, they are not regulated by the Department of the Army.

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

☐ Ordinary High Water Mark indicated by:
☐ clear, natural line imprinted on the bank
☐ changes in the character of soil
☐ wetland boundary
☐ destruction of terrestrial vegetation
☐ shearing
☐ 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: 2-17-05

Approved by:

☐ Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (HMT Manual) i.e., outcrops of hydrophytic vegetation, hydro 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 barriers, beach dunes, and the like are also adjacent.
**INFORMATION SHEET**

**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** Chicago  
**FILE NUMBER:** 200500018

**ZEGULATORY PROJECT MANAGER:** Kate Bliss  
**Date:** 2/6/04

**PROJECT REVIEW/DETERMINATION COMPLETED:**  
In the office  
**Date:** 11/16/04

**PROJECT LOCATION INFORMATION:**  
**State:** Illinois  
**County:** McHenry  
**Center coordinates of site by latitude & longitudinal coordinates:**  
Approximate size of site/property (including uplands & in acres):  
**Name of waterway or watershed:** Koskiwance

**SITE CONDITIONS:**

<table>
<thead>
<tr>
<th>Type of aquatic resource¹</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>2-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt;50 ac</th>
<th>Linear foot</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake</td>
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<td>Slough</td>
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<td>Prairie pothole</td>
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<td>Wet meadow</td>
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<td>Vernal pool</td>
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<td>Other water (identify type)</td>
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</tbody>
</table>

¹Check appropriate boxes that best describe the type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

**Migratory Bird Rule Factors¹:**

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
<th>Use Best Professional Judgment</th>
<th>Not Expected to Occur</th>
<th>Not Able To Make Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
<td>Predicted to Occur</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is or would be used as habitat for birds protected by Migratory Bird Treaty?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>Is or would be used as habitat by other migratory birds that cross state lines?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>Is or would be used as habitat for endangered species?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>Is used to irrigate crops sold in interstate commerce?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
</tbody>
</table>

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:**  
**Preliminary** ☑ or Approved ☑

**OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1—site conditions; paragraphs 2-3—rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4—site information on waters of the U.S. occurring onsite):**
APPLICANT: \(2001\) Oak Brook Road, east of Meyers Road, Oakbrook, Hinsdale, IL

FILE NUMBER: PROJECT REVIEW COMPLETED: Office Field

Appended Jurisdictional Determination (JUD) for sites regulated under 33 CFR 320-330. An approved JUD 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 acceptable 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)).

☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3(a)(3)).

☐ The presence of wetlands adjacent to (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., intermittent lakes, rivers, streams (including intermittent streams), mudflats, sandbars, 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: NIDMILE.


☐ UNOVA Natural Resources Conservation Service Soil Survey for DuPage County.


☐ U.S. Geological Survey 7.5 Minute Topographic Maps: 328.3(a)(10).

☐ U.S. Geological Survey 15 Minute Historic Quadrangles:

☐ Aerial Photographs (Name & Date): July 2001

☐ Advanced Identification Wetland Maps

☐ Site Visit Conducted on: February 9, 2005

☐ Other information:

Rationale for Basis (applies to any boxes checked above): The project site contains both ponds that were excavated for aesthetic purposes which are hydrologically isolated from Grapen Creek.

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 Inersial vegetation

☐ Submerging

☐ other

Basis for Declining Jurisdiction:

☐ Unable to confirm the presence of water 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 post-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 does not confirm your wetland boundary.

☐ This office does not confirm your wetland boundary.

☐ Approved by: ORIGINAL SIGNED

Recommendation:

☐ Date: 2-17-05

Footnotes:


2. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river banks, beach dunes, and the like are also adjacent.
INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago
FILE NUMBER: 200500630

REGULATORY PROJECT MANAGER: Diedra Willis
Date: February 17, 2005

PROJECT REVIEW/DETERMINATION COMPLETED:
In the office (Y/N) Date: February 17, 2005
At the project site (Y/N) Date: February 9, 2005

PROJECT LOCATION INFORMATION:
State:
County: Illinois
Center coordinates of site by latitude & longitudinal coordinates:
Approximate size of site/property (including upland & in acres):
Name of waterway or watershed:

SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt; 50 ac</th>
<th>Linear feet</th>
<th>Unknown</th>
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</thead>
<tbody>
<tr>
<td>Lake</td>
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<td>River</td>
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</tbody>
</table>

Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors:

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Present to Occur</td>
<td>Non Expected to Occur</td>
</tr>
</tbody>
</table>

Is or would be used as habitat for birds protected by Migratory Bird Treaty?

Is or would be used as habitat by other migratory birds that cross state lines?

Is or would be used as habitat for endangered species?

Is used to irrigate crops sold in interstate commerce?

Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary □ Or Approved □

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):
APPLICANT: Chuck Ruth  PROJECT LOCATION/WATERSHED: Huntley, McHenry County
FILE NUMBER: 00401126  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 333.2). An approved JD is an appealable action (33 CFR 333.2).

Based on available information:

There are no wetlands on the project site.

There are no non-jurisdictional wetlands on the project site.

There are wetlands 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 non-jurisdictional wetlands of the United States present on the project site.

The presence of wetlands which are currently used, or were used in the past, or may be susceptible for use in transport interconnect or foreign commerce, including all water which is subject to the CER and flow of the tide (i.e., navigable waters) of the U.S., (33 CFR 328.3(a)(1))

The presence of interstitial wetlands (including intermittent wetlands), (33 CFR 328.3(a)(2))

The presence of a tributary to an navigable water or other water of the U.S., (33 CFR 328.3(a)(5))

The presence of wetlands adjacent (i.e., bordering, contiguous, or neighboring) interstitial 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., meandering lakes, rivers, streams including intermittent streams, mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).

Other:

Section 10 waters.

Information Reviewed:

U.S. Fish and Wildlife Service National Wetlands Inventory: HUNLEY.


USDA National Resources Conservation Service Soil Survey for McHenry County.


U.S. Geological Survey 7.5 Minute Historic Quadrangles.

U.S. Geological Survey 15 Minute Historic Quadrangles.


Advanced Identification Wetland Maps: MCCHENRY COUNTY.

Site Visit Conducted: October 21, 2004

Other information:

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

Refinancing the Wetland Determination Report dated August 2004, prepared by Smith Engineering Consultants, Inc., Wetlands 1 and 2 are isolated and therefore nonjurisdictional. Wetland 3 is hydraulically connected to the Kishwaukee River, which discharges to the Rock River, a navigable waterway under Department of the Army jurisdiction.

Lateral Extent of Jurisdiction (33 CFR 320 and 529):

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- presence of litter and debris
- change 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 unlikely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria.

Headquarters declined to approve jurisdiction on the basis of 328.3(a)(7) [attach copy of HQ rationale]

Conservation of Wetland Boundaries:

This office concurs with your wetland delineation report dated August 2004, prepared by Smith Engineering Consultants, Inc.,

This office does not confirm your wetland boundary.

Recommended by: ___________________________ Date: 01/17/05

Approved by: ___________________________ Date:________________

1 Wadlets are hydric and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (ST Manual) (i.e., occurrence of hydric vegetation, hydric soils and saturated hydrology). Processes for determining wetlands on agricultural lands may vary from wetlands described in the Corps Wetland Delineation Manual (1997).

1 Wetlands separated from other wetlands of the U.S. by man-made dikes or barriers, natural levees, bars, beach dunes, and the like are hydric adjacent.
**INFORMATION SHEET**

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY ENGINEERS

DISTRRICT OFFICE: Chicago
FILE NUMBER: 20001126

REGULATORY PROJECT MANAGER: Kate Bliss
Date: 2/17/04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: 10/20/04
At the project site Y (Y/N) Date: 10/20/04

PROJECT LOCATION INFORMATION:
State: Illinois
County: McHenry
Center coordinates of site by latitude & longitudinal coordinates: 100
Name of waterway or watershed: Kishwaukee

SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
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*Check appropriate boxes that best describe the type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.*

Migratory Bird Rule Factors:

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
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<tr>
<td>Use Best Professional Judgement</td>
<td>Use Best Professional Judgement</td>
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<td>Yes</td>
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<td>Predicted to Occur</td>
<td>Not Expected to Occur</td>
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</table>

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.*

**TYPE OF DETERMINATION:**

| Preliminary | Approved |

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NO JUDGMENT (e.g., paragraph 1 – site conditions; paragraph 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring within)


APPLICANT: Monte Kantor  PROJECT LOCATION/WATERWAY: Southeast corner of Route 59 and Brookside Road Naperville, DuPage County, Ill/Waubeone Creek

FILE NUMBER: 2000500264  PROJECT REVIEW COMPLETED: X Office X Field

- Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 328.330). An approved JD is an appealable action. (33 CFR 331.5)

  Based on available information:
  - There are no waters on the project site.
  - There are no jurisdictional waters on the project site.
  - There are no waters of the United States on the project site.
  - There are 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.
- There is no physical or chemical characteristic attributable to the project that 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 or foreign commerce on the project site.
- The presence of waters which are used for or are used in the past, or may be susceptible for use to transport materials or 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)(2))
- The presence of a tributary to an interstate or foreign commerce on the project site.

Information Reviewed:

- U.S. Fish and Wildlife Service National Wetland Inventory: NAPERVILLE
- USDA Natural Resources Conservation Service: Soil Survey for DuPage County.
- Aerial Photography (Name & Date):
- Advanced Identification Wetland Maps:
- Site Visit Conducted on: February 9, 2005
- Other information:

Rationale for Basis (applicable to any boxes checked above): Wetlands within project site are isolated because they do not have a hydrological connection to a jurisdictional 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
  - destruction of terrestrial vegetation
  - presence of litter and debris
  - changes in the character of soil
  - 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)(3) 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:

- Site visits confirm your wetland delineation report dated ., prepared by .
- This office does not confirm your wetland boundary.

Recommended by: ________________________ Date: __________

Approved by: ________________________ Date: __________

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (47 Manual) (i.e., occurrence of hydric soil and water table). Procedures 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 two or more dikes or barriers, natural river barriers, beach dunes, and the like are also adjacent.
**Determination of No Jurisdiction for Isolated, Non-Navigable, Intra-State Waters Resulting from U.S. Supreme Court Decision in Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers**

**District Office:** Chicago  
**File Number:** 200060204

**Regulatory Project Manager:** Debbie Willis  
**Date:** February 17, 2005

**Project Review/Determination Completed:**  
- In the Office:  
  - Date: February 17, 2005  
- At the Project Site:  
  - Date: February 9, 2005

**Project Location Information:**  
- **State:** Illinois  
- **County:** DuPage  
- **Center Coordinates of Site by Latitude & Longitude Coordinates:** 41°47′20.6681″ & 88°12′16.7128″  
- **Approximate Size of Site/Property (Including Upplands & In Acres):** 23.00 acres  
- **Name of Waterway or Watered:** Waubonsie Creek

**Site Conditions:**

<table>
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<tr>
<th>Type of Aquatic Resource</th>
<th>0-1 ac</th>
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<th>3-5 ac</th>
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<th>10-25 ac</th>
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*Check appropriate boxes that best describe the type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resources area.*

**Migratory Bird Rule Factors:**

<table>
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<tr>
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<tr>
<td>Predicted to Occur</td>
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</tbody>
</table>

- **Is or would be used as habitat for birds protected by Migratory Bird Treaty Act?**  
- **Is or would be used as habitat by other migratory birds that cross state lines?**  
- **Is or would be used as habitat for endangered species?**  
- **Is used to irrigate crops sold in interstate commerce?**

>Check appropriate boxes that best describe the potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**Type of Determination:**  
- Preliminary ☑  
- Or Approved ☑

**Optional Additional Information Supporting NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):**
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Steve Foreman PROJECT LOCATION/WATERWAY: 22924 S. 88th Avenue in Franklin, Will County, Illinois
FILE NUMBER: 200500374 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 321.3).

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.
☐ These 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.
There are non-jurisdictional 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 tides (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))(1).
The presence of intermittent waters (including intermittent wetlands)(2). (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 intermittent 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., inundate 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.
☐ USDI Natural Resources Conservation Service Soil Survey for Will County.
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles:
☐ U.S. Geological Survey 15-Minute Historic Quadrangles:
☐ Airals (Name & Date) Frankfort, 2002
☐ Advanced Identification Wetland Maps:
☐ Site Visit Conducted on: February 17, 2005
☐ Other information:

Rationale for Basis (apply to any boxes checked above): There is a small pocket wetland that is isolated and therefore not jurisdictional. Here the tributary located on the subject property is the West Fork West Branch of 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
☐ destruction of terrestrial vegetation
☐ wetland boundary
☐ 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 not 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
☐ This office does not confirm your wetland boundary
☐ Prepared by

Recommended by: ORIGINAL SIGNED Date: SFR 2-7-05

Approved by: Date: 2-7-05

1Wetlands are identified and delineated using the methods and criteria established in the Corp's Wetland Delineation Manual (SWANCC Manual) i.e., occurrence of hydrophytic vegetation, hydro soils and wetland hydrology. Process for determining wetlands on agricultural lands may vary from methods described in the Corp's Wetland Delineation Manual (1987).
2Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river barriers, beach dunes, and the like are also adjacent.
INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago
FILE NUMBER: 200500374

REGULATORY PROJECT MANAGER: Melynda Crist
Date: 18 February 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: Y (Y/N) Date: 17 February 2005

PROJECT LOCATION INFORMATION:
State: Illinois
County: Will
Center coordinates of site by latitude & longitudinal coordinates: 41 28.21.37
87 49.49.34
Name of waterway or watershed: Des Plaines

SITE CONDITIONS:

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<th>Type of aquatic resource¹</th>
<th>0-1 ac</th>
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¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors²:

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Use Best Professional Judgment</td>
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<tr>
<td>Yes</td>
<td>No</td>
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</tbody>
</table>

Is or would be used as habitat for birds protected by Migratory Bird Treaty?    
Is or would be used as habitat by other migratory birds that cross state lines?    
Is or would be used as habitat for endangered species?    
Is used to irrigate crops sold in interstate commerce? 

²Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to site, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary [ ] Or Approved [X]

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):
APPLICANT: 200401014 PROJECT LOCATION/WATERWAY: 60-acre parcel located south of Bowen Road and east of Currin Road in Kane County, Illinois (Sections 25, 35, and 40, T44N R8E)

FILE NUMBER: 200401014 PROJECT REVIEW COMPLETED: OFICE FIELD

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

Noted 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 non-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)(3))
☐ The presence of impounded waters (including interstate wetlands). (33 CFR 328.3(a)(2))
☐ The presence of a tributary to an interstate or interbasin water of the U.S. (33 CFR 328.3(a)(5))
☐ The presence of wetlands adjacent (i.e., bordering, contiguous, or neighboring) to interstate or interbasin 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, stream(s) (including intermittent stream), 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: PINNGRI (GROVE)
☐ USDA Natural Resources Conservation Service Soil Survey for Kane County.
☐ U.S. Geological Survey 7.5 Minute Historical Quadrangles:
☐ U.S. Geological Survey 15 Minute Historical Quadrangles: ELGIN, 1929
☐ Aerial Photographs (Date and Dates): DigitalAir Spring 2001 and Fall 2002
☐ Advanced Identification Wetland Maps: "GO" "CU"
☐ Site Visit Conducted on: August 25, October 26, November 11, and November 17, 2004 by James W. Harrell of the USACE, Chicago District
☐ Other Information: USGS 15 Minute Historical Quadrangles (Genessee, 1932), FEMA SFEM Map

Rationale for Basis Applies to Any Box(es) Checked Above:
Farmed Wetlands B, C & D as well as Wetlands 12 and 13 have a surface water tributary system connection to Stony Creek and are therefore under the jurisdiction of the U.S. Army Corps of Engineers. Wetlands 1, 2, 3 (Bowen Creek), 4, 6(a), 7(b), 8(b), 11(A&BR), 14, 18, FW 19, 22, and W2 all either have a surface water tributary system connection to Bowen Creek or they are adjacent to Bowen Creek and are therefore under the jurisdiction of the U.S. Army Corps of Engineers. Wetlands 6, Fish Ponds E-F, 8, 9, 10, A10, A17, 21, and 23 do not have a surface water tributary system connection to Bowen Creek or are not adjacent to Bowen Creek and are isolated.

Lateral Extent of Jurisdiction (33 CFR 328 and 379):
☐ clear, natural line impressed on the bank
☐ the presence of fish and debris
☐ changes in the character of soils
☐ destruction of terrestrial vegetation
☐ delving
☐ wetland boundary
☐ 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)(3) 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 does not confirm your wetland boundary.

Recommended by: [Signature] ORIGINAL SIGNED Date: 2/15/05
Approved by: [Signature] Date: 2/22/05
**INFORMATION SHEET**

**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY v. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** Chicago  
**FILE NUMBER:** 200410104  
**REGULATORY PROJECT MANAGER:** James Hamilton  
**Date:** 2/15/05

**PROJECT REVIEW/DETERMINATION COMPLETED:**  
- In the office (V/N)  
- At the project site (V/N)  
  - Date: 2/15/05  
  - Date: 8/26/04, 10/26/04.

**PROJECT LOCATION INFORMATION:**  
- State: Illinois  
- County: Kane  
- Lake:  
  - LAT: 42° 02.2'  
  - LON: 88° 23.15'  
  - Acres: 560 acres  
- Site Conditions:  
  - **Type of aquatic resource:**  
    - Lake:  
    - River:  
    - Stream:  
    - Dry Wash:  
    - Mudflat:  
    - Sandbar:  
    - Wetlands:  
    - Slough:  
    - Prarie pothole:  
    - Wet meadow:  
    - Playa lake:  
    - Vernal pool:  
    - Natural pond:  
    - Other water: (660°C type):  
  - Linear feet:  
  - Unknown:  

**SITE CONDITIONS:**  
- **Type of aquatic resource:**  
  - Lake:  
  - River:  
  - Stream:  
  - Dry Wash:  
  - Mudflat:  
  - Sandbar:  
  - Wetlands:  
  - Slough:  
  - Prairie pothole:  
  - Wet meadow:  
  - Playa lake:  
  - Vernal pool:  
  - Natural pond:  
  - Other water: (660°C type):  

- **Linear feet:**  
- **Unknown:**

**Migratory Bird Rule Factors:**  
- **If Known**  
  - Is this body of water used as a habitat for birds protected by Migratory Bird Rule?  
  - Is this body of water used as a habitat for birds protected by Migratory Bird Rule in specific areas?  
  - Is this body of water used as a habitat for endangered species?  
  - Is this body of water used as a habitat for threatened species?  
- **If Unknown**  
  - Use Best Professional Judgment  
  - Not Expected to ebay  
  - Not Able to Make Determination

**OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 4 — site conditions; paragraphs 2-3 — rationale used to determine NJD, including information reviewed to assess potential navigation or incorporate commerce connections; and paragraph 4 — site information, a summary of the U.S. occurring method)**

**TYPE OF DETERMINATION:**  
- Preliminary:  
- Or Approved:  
- Approved:  

**If Known**  
- **If Unknown**  
  - Use Best Professional Judgment  
  - Not Expected to be Used  
  - Not Able to Make Determination

**If Known**  
- **If Unknown**  
  - Use Best Professional Judgment  
  - Not Expected to be Used  
  - Not Able to Make Determination

**If Known**  
- **If Unknown**  
  - Use Best Professional Judgment  
  - Not Expected to be Used  
  - Not Able to Make Determination

**If Known**  
- **If Unknown**  
  - Use Best Professional Judgment  
  - Not Expected to be Used  
  - Not Able to Make Determination

**If Known**  
- **If Unknown**  
  - Use Best Professional Judgment  
  - Not Expected to be Used  
  - Not Able to Make Determination
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Los Castores PROJECT LOCATION/WATERWAY: Route 59, Batavia and Naperville Road, Batavia, Cook County, Illinois, Bowers Creek Box Area River Watershed.6

FILE NUMBER: 20000012 PROJECT REVIEW COMPLETED: Office 40706

Approved Jurisdictional Determination (38) (Site Sites regulated under 33 CFR 320-330Ss. An approved ID is in 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 used as a 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))

☐ The presence of an tributary to an interstate water or other water of the U.S. (33 CFR 328.3(a)(5))

☐ The presence of wetlands adjacent to (bording, contiguous, or neighboring) to interstate or other waters of the United States for those wetlands adjacent to other wetlands. (33 CFR 328.3(a)(7))

☐ The presence of an isolated water (e.g., intermittent lakes, rivers, streams (including intermittent streams), mudflats, sandbars, wetlands, sloughs, peat pools, wet meadows, playa lakes, or natural ponds).

☐ Other:

Section 10 states.

Information Reviewed

☐ U.S. Fish and Wildlife Service National Wetland Inventory: STREAMWOOD.
☐ USDA Natural Resources Conservation Service Soil Survey for Cook County.
☐ U.S. Geological Survey 7.5 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 site contains jurisdictional waterways and wetlands that are hydrologically connected to Bowers Creek, which flows into Fox River.

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

Ordinary High Water Mark indicated by:

☐ elict, natural line impressed on the bank
☐ the presence of litter and debris
☐ changes in the character of soil
☐ wetland boundary

☐ destration of terrestrial vegetation
☐ shoreline
☐ 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 unlikely to have been jurisdictional under post-SWANCC Migratory Bird Rule criteria.

Headquarters declined to approve jurisdiction on the basis of 328.3(a)(8) [attach copy of HQ rationale]

Confirmation of Wetland Boundary:

☐ This office agrees with your wetland delineation report dated , prepared by

☐ This office does not confirm your wetland boundary.

Recommended by: Date:

☑ ORIGINAL SIGNED

Approved by:

6Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (57 M 5040) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on non-reclaimed lands may vary from those described in the Corps Wetland Delineation Manual (1987).

7Wetlands separated from other waters of the U.S. by non-state dikes or barriers, non-alter river banks, beach dunes, and the like are also adjacent.
INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NONNAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHEN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago
FILE NUMBER: 200300115

REGULATORY PROJECT MANAGER: Kathy Chernich Date: February 25, 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: November 17, 2004

PROJECT LOCATION INFORMATION:
State: Illinois
County: Cook
Center coordinates of site by latitude & longitudinal coordinates: 41°54'44"N 87°44'00"W
Approximate size of site/property (including uplands & in acres): 115 acres
Name of waterway or wetland: Bgewater Creek/Fox River Watershed

SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt; 50 ac</th>
<th>Linear ft</th>
<th>Unknown</th>
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<tbody>
<tr>
<td>Lakes</td>
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<td>Wood Lands</td>
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<td>Swamp</td>
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<td>Ponds, Pools, Wetlands</td>
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<td>Plays lake</td>
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<td>Vernal pool</td>
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<td>Other water (identify type):</td>
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</tbody>
</table>

*Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource acres

Migratory Bird Rule Factors:
If Known               If Unknown Use Best Professional Judgment

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>Predicted to Occur</th>
<th>Not Expected to Occur</th>
<th>Not Able To Make Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is or would be used as habitat for birds protected by Migratory Bird Treaties?</td>
<td>☒</td>
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<tr>
<td>Is or would be used as habitat by other migratory birds that cross state lines?</td>
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<td>☒</td>
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<tr>
<td>Is or would be used as habitat for endangered species?</td>
<td>☒</td>
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<tr>
<td>Is used in interstate commerce?</td>
<td>☒</td>
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</tbody>
</table>

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to units, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ Or Approved ☒

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):
APPLICANT: Real Seed Development
PROJECT LOCATION/WATERSHED: 0.129 Acre Wetland Northeast of the Intersection of Palatine and Quentin Roads in Palatine, Cook County, Illinois (Section 15, T42N, R10E).

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

PROJECT REVIEW COMPLETED: Yes Office Field

Approved, Jurisdictional Determination (JD) [For Sites regulated under 33 CFR 328.130]. 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.

Basins of Jurisdictional Determination:
☐ There are non-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 tides and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of geohydrologic waters (including intermittent wetlands) (33 CFR 328.3(a)(2))
☐ The presence of an ephemeral or intermittent water body (33 CFR 328.3(a)(5))
☐ The presence of wetlands adjacent to a water body (33 CFR 328.3(a)(5))
☐ The presence of waters adjacent to wetlands (including intermittent streams), marshes, swamps, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds.
☐ Other:
Section 10 waterway.

Information Reviewed
☑ U.S. Fish and Wildlife Service National Wetland Inventory: PALATINE.
☑ USDA Natural Resources Conservation Service Soil Survey for Cook County: __________.
☑ U.S. Geological Survey 7.5 Minute Historic Quadrangles: __________.
☑ U.S. Geological Survey 15 Minute Historic Quadrangles: __________.
☑ Air Photo (Name & Date): __________.
☑ Advanced Identification Wetland Maps: __________.
☑ Site Visit Conducted on: 3 February 2005
☑ Other information:

Rationale for Basis (applies to any boxes checked above):
Small wetland drains into a storm sewer system and does not appear to exhibit a hydrologic surface connection to navigable waters.

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
☐ destruction of terrestrial vegetation
☐ flooding
☐ other:
☐ wetland boundary

Basis for Determining Jurisdiction:
☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(3) 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 directed to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland boundaries:
☐ This office concerns with your wetland delineation report dated 2/28/05, prepared by ________________________________
☐ This office does not control your wetland boundary

Date: 2/28/05

Original Signed

Approved by: ____________________________ Date: ____________________________

1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (38 Manuals) (i.e., occurrence of hydric soil and hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

2Wetlands separated from other waters of the U.S. by eyes made by barriers, natural river banks, beach dunes, and the like are also adjacent.
### INFORMATION SHEET
**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** Chicago  
**FILE NUMBER:** 200500304

**REGULATORY PROJECT MANAGING:** Steve Gagnon  
**Date:** 25 February 2005

**PROJECT REVIEW/DETERMINATION COMPLETED:**  
**In the office:** Y  
**At the project site:** Y  
**Date:** 3 February 2005

**PROJECT LOCATION INFORMATION:**  
**State:** Illinois  
**County:** Cook  
**Center coordinates of site by latitude & longitudinal coordinates:** 42.6-52.0359; 88.3-46.0532  
**Areal extent of site/property (including uplands & in-accords):** Des Plaines River.

### SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt; 50 ac</th>
<th>Other feet</th>
<th>Unknown</th>
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</thead>
<tbody>
<tr>
<td>Lake</td>
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</tbody>
</table>

1. Check appropriate boxes that best describe the type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

### Migratory Bird Rule Factors:

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown Use Best Professional Judgment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Is or would be used as a habitat for birds protected by the Migratory Bird Treaty?</td>
<td></td>
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<tr>
<td>Is or would be used as a habitat by other migratory birds that cross state lines?</td>
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<tr>
<td>Is or would be used as a habitat for endangered species?</td>
<td></td>
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<tr>
<td>Is used by trophy crops sold in interstate commerce?</td>
<td></td>
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</tbody>
</table>

1. Check appropriate boxes that best describe the potential for applicability of the Migratory Bird Rule to apply to any non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:**  
Preliminary ☐  
Or Approved ☑

**OPTIONAL ADDITIONAL INFORMATION SUPPORTING NID (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NID, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information for waters of the U.S. occurring onsite):**
APPLICANT: Mr. Greg Wadowski  
PROJECT LOCATION/WATERWAY: 3704 Deerwood Drive In Long Grove, Lake County, Illinois (Section 26, T24N, R10E)

FILE NUMBER: 28209/310  
PROJECT REVIEW COMPLETED: Onsite Field

Approved Jurisdictional Determination (JD) (For waters 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, may be susceptible for use in transport purposes or foreign commerce, including all waters which are subject to the U.S. 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))
☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3(a)(3))
☐ The presence of wetlands adjacent (i.e., bordering, contiguous, or neighboring) to interstate or other waters of the U.S. (33 CFR 328.3(a)(7))
☐ The presence of an isolated water (e.g., intermittent streams, aquifer seepage, groundwater, bodies of water 3 ft. deep and 3 acres or less).
☐ Other:
☐ Section 10 waterway.

Information Reviewed
☐ U.S. Fish and Wildlife Service National Wetland Inventory.
☐ U.S. Geological Survey 7.5 Minute Topographic Map.
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles.
☐ U.S. Geological Survey 15 Minute Historic Quadrangles.
☐ Aerials (Name & Date).
☐ Other.

Rationale for Basis (supplied by any boxes checked above): On the northwest portion of the subject site there is a wetland and an open water area associated with Buffalo Creek. However, the 0.092 acre wetland on the southeastern portion of the property along Deerwood Drive is considered isolated.

Lateral Extent of Jurisdiction (33 CFR 328.3 and 329):
☐ Outflow High Water Mark indicated by:
☐ Stream of water
☐ Marshall’s line impressed on the bank
☐ The presence of litter and debris
☐ Changes in the character of soil
☐ Wetland boundary
☐ Alteration

☐ Restoration of terrestrial vegetation
☐ Erosion

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)(3) 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 December 15, 2004, prepared by Stans Environmental Inc.
☐ This office does not confirm your wetland boundary

Recommended by: Original Signed: Date:

Approved by: Date:

*Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Determination Manual (38 Muster), i.e., a composite of hydrologic, vegetative, and wetland hydrology. Procedures for determining wetlands on agriculturally used lands vary from methods described in the Corps Wetland Determination Manual (1987).

2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river terraces, brush dikes, and the like are also jurisdictional.
**INFORMATION SHEET**

**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE: Chicago**

**FILE NUMBER: 200500319**

**REGULATORY PROJECT MANAGER: Poole Lefler**

**Date: 28 Feb 2005**

**PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N): Y**

**At the project site Y (Y/N): Y**

**Date: July 2004**

**PROJECT LOCATION INFORMATION:**

- **State:** Illinois
- **County:** Lake
- **Center coordinates of site by latitude & longitudinal coordinates:** 42°10'55.7905' N 87°1'8.9483' W
- **Approximate size of site/property (including uplands & it. acres):** 15 acres
- **Name of waterway or watershed:** Des Plaines/ Buffalo Creek

**SITE CONDITIONS:**

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt; 50 ac</th>
<th>Linear feet</th>
<th>Unknowns</th>
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<tbody>
<tr>
<td>Lake</td>
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</tr>
</tbody>
</table>

1. Check appropriate boxes (last two describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

**Migratory Bird Rule Factors:**

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Best Professional Judgment</td>
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</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Feasible to Occur</td>
<td>Not Expected to Occur</td>
</tr>
</tbody>
</table>

1. Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to entire, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:**

- Preliminary [ ]
- Approved [X]

**OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):**
Approved Jurisdictional Determination (FD) for sites regulated under 33 C.F.R. 320-330. An approved JD is an irrevocable action. (33 C.F.R. 331.2). An approved JD is as irrevocable action. (33 C.F.R. 331.2)

Based on available information:
- There are no waters on the project site.
- There are no 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 C.F.R. 328.3(a)(11))
- The presence of interstate waters (including interstate wetlands) (33 C.F.R. 328.3(a)(3))
- The presence of a tributary to an interstate water or other water of the U.S. (33 C.F.R. 328.3(a)(5))
- The presence of wetlands adjacent (i.e., abutting, contiguous, or neighbors) to interstate or other waters of the United States, except for those wetlands adjacent to other wetlands. (33 C.F.R. 328.3(a)(7))
- The presence of an isolated water (i.e., irrigation lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, pothole ponds, wet meadows, playas, lakes, or natural ponds).

Information Reviewed:
- U.S. Fish and Wildlife Service National Wetland Inventory: HUN11477
- U.S. Geological Survey Hydroplogic Atlas
- USDAn Natural Resources Conservation Service Soil Survey for McHenry County
- U.S. Geological Survey 7.5 Minute Historical Quadrangles:
- U.S. Geological Survey 15 Minute HiRes Quadrangles:
- Aerial Photographs (Name & Date):
- Advanced Identification Wetland Maps: MCHENRY COUNTY.
- Site Visit Conducted on:
- Other Information:

Rationale for Basis (applies to wetlands checked above):
The wetland complex in the northern portion of the site and the seven fenced wetlands do not exhibit a hydrologic connection to a navigable waterway and are therefore not regulated by the Department of the Army.

Lateral Extent of Jurisdiction (33 C.F.R. 328 and 328):
- Clear, natural line impressed on the bank
- The presence of litter and debris
- Changes in the character of soil
- Destruction of terrestrial vegetation
- Sinking
- Other:

Basis for Declining Jurisdiction:
- Unable to confirm the presence of waters listed in 33 C.F.R. 328.3(a)(1), 328.3(a)(2), or 328.3(a)(7) through 328.3(i)(7)
- Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria

Recommended for Jurisdictional Determination:
- This Office concurs with your wetland delineation report dated prepared by
- This Office does not concur with your jurisdictional determination

Recommended by:

Approved by: [Signature] Date: 2-1-05

2Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) i.e., occurrence of hydrologic separation, stable soils, and wetland hydrology. Procedures for delineating wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987)

3Wetlands reported from other waters of the U.S. by transect analysis of bottom, natural river basins, bench slopes, and the like are also subject to this determination.
### DISTRICT OFFICE: Chicago

**FILE NUMBER:** 20080087

**REGULATORY PROJECT MANAGER:** Kate Bliss  
**Date:** 2/24/05

**PROJECT REVIEW/DETERMINATION COMPLETED:** at the project site  
**(Y/N)** Date: 11/5/05

**PROJECT LOCATION INFORMATION:**  
**State:** Illinois  
**County:** McHenry  
**Center coordinates of site by latitude & longitudinal coordinates:** 42-11-4.1283, 88-26-54.7393  
**Approximate size of site/property (including uplands & in acres):** 158  
**Name of waterway or watershed:** Kishwaukee River

### SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt; 50 ac</th>
<th>Linear feet</th>
<th>Unknown</th>
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<tbody>
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<td>Lake</td>
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<tr>
<td>Prairie / savanna</td>
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<td>Vernal pool</td>
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<td>Other water (identify type)</td>
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</tbody>
</table>

*Check appropriate boxes that best describe type of isolated, non-navigable, intrastate waters present and best estimate for size of non-jurisdictional aquatic resource area.*

### Migratory Bird Rule (95)  

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown Use Best Professional Judgment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Is or would be used as habitat for birds protected by Migratory Bird Treaty?</td>
<td></td>
</tr>
<tr>
<td>Is or would be used as habitat by other migratory birds that cross state line?</td>
<td></td>
</tr>
<tr>
<td>Is or would be used as habitat for endangered species?</td>
<td></td>
</tr>
<tr>
<td>Is used to impinge crops and/or intradate commerce?</td>
<td></td>
</tr>
</tbody>
</table>

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to non-jurisdictional, isolated, non-navigable, intrastate aquatic resource area.*

### TYPE OF DETERMINATION:  

Preliminary [ ] Or Approved [X]

### OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJI (e.g., paragraph 1 = site conditions; paragraphs 2-3 = rationale used to determine NJIs, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 = additional information on waters of the U.S. occurring onsite):
APPLICANT: Waquoit Bays and Estuaries
PROJECT LOCATION/WATERWAY: SW 1/4 Sec. 12, T44N R7E
FILE NUMBER: 20050020
PROJECT REVIEW COMPLETED: [Office Field]

Approved Jurisdictional Determination (JDO) (D) For sites regulated under 33 CFR 328-330). 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-navigational 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(c)(1))
The presence of interstate waters (including interstate wetlands) (33 CFR 328.3(c)(2))
The presence of a tributary to an interstate water or other water of the U.S. (33 CFR 328.3(c)(3))
The presence of wetlands adjacent to, bordering, contiguous, or neighboring to interstate or navigable waters of the U.S., except for those wetlands adjacent to other wetlands (33 CFR 328.3(c)(4))
The presence of an isolated water (e.g., intertidal bays, rivers, streams (including intermittent streams), marshes, swamps, 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, MCHENRY.
E. S. Geological Survey Hydrolc Data, MCHENRY, HA 555
USDA National Resources Conservation Service Soil Survey for McHenry County.
U. S. Geological Survey 7.5 Minute Historical Quadrangles:

U. S. Geological Survey 15 Minute Historic Quadrangles:

Advanced Identification Wetland Maps: MCHENRY COUNTY.

Site Visit Conducted on: November 5, 2004

Easements for Basis (applies to any boxes checked above): Two isolated wetlands are present on the subject property. Neither wetland exhibits a hydrologic connection to any navigable waterway.

Lower Extent of Jurisdictional (33 CFR 338 and 328): Ordinary High Water Mark indicated by:

a. clear, natural line impressed on the bank
b. destruction of terrestrial vegetation
c. changes in the character of soil

Basis for Declining Jurisdiction:

Unable to confirm the presence of waters listed in 33 CFR 328.3(c)(1), 328.3(c)(2), or 328.3(c)(4) through 328.3(c)(7)

Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria

Headquarters declined to approve jurisdiction on the basis of 328.3(c)(4) [with 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]

Original Signed: [Signature] Date: 11/05/04

Approved by: [Signature] Date: 11/05/04

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (57 Manual) (33 CFR Part 328) and the Wetland Delineation Manual, U.S. Army Corps of Engineers, Waterways Experiment Station, Vicksburg, Mississippi, 1997.

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.
DTERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARM CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago
FILE NUMBER: 20050006

REGULATORY PROJECT MANAGER: Kate Bliss
Date: February 23, 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: At the project site Y (Y/N) Date:

PROJECT LOCATION INFORMATION:

State: Illinois
County: Mchenry
Center coordinates of site/property (including uplands & in acres): 42.18-7.9796, 88.22-4.5375
Surface area: 50
Name of waterway or watershed: Fox River

SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt; 50 ac</th>
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</thead>
<tbody>
<tr>
<td>Lake</td>
<td>1</td>
<td>2</td>
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<td>4</td>
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<tr>
<td>Prairie/field/woodlands</td>
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<td>Fyja lake</td>
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<td>100</td>
<td>101</td>
<td>102</td>
<td>103</td>
<td>104</td>
</tr>
</tbody>
</table>

1. Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Exemption:

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
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</thead>
<tbody>
<tr>
<td>Use Best Professional Judgment</td>
<td>Predicted to Occur</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

Is it would be used as habitat for birds protected by Migratory Bird Treaties?

Is it would be used as habitat by other migratory birds that cross state line?

Is it would be used as habitat for endangered species?

Is used to irrigate crop sold in interstate commerce?

TYPE OF DETERMINATION:

Preliminary [ ] Or Approved [X]

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NID (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NID, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Northbrook Park District  PROJECT LOCATION/WATERWAY: Pond on Golf Course at 3515 Dundee Road in Northbrook, Cook County, Illinois (Section 6, T42N, R12E).

FILE NUMBER: 200503042  PROJECT REVIEW COMPLETED:  Field

Approved Jurisdictional Determination (ID) (For Sites regulated under 33 CFR 328-330). An approved ID is an appealable action. (33 CFR 331.2)

Based on available information:
☐ There are no waters on the project site.
☐ There are no 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 tides (i.e., navigable waters of the U.S.) (33 CFR 128.3(a)(1)).
☐ The presence of intermittent waters (including intermittent wetlands). (33 CFR 328.3(a)(2)).
☐ The presence of a tributary to an intermittent water or other water of the US. (33 CFR 328.3(a)(5)).
☐ The presence of wetlands adjacent (bordering, contiguous, or neighboring) to intermittent or other waters of the US, except for those variable adjacent to other wetlands. (33 CFR 328.3(a)(7)).
☐ The presence of an isolated water (e.g., intermittent lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, cranberry pools, wet meadows, plays 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, RICHLAND PARK, 1993;
☐ U.S. Geological Survey 7.5 Minute Topographic Maps, RICHLAND PARK, 1993;
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles;
☐ U.S. Geological Survey 5-Minute Historic Quadrangles;
☐ ArcGIS (Name & Data) ArcPitto 1999;
☐ Advanced Identification of Wetland Maps;
☐ Site Visit Conducted on: 3 February 2005;
☐ Other information:

Rationale for Basis (applies to any box checked above):
Pond drains to the northeast through a series of ponds and detention features, then curves a storm sewer and is not under jurisdiction of the office.

Lateral Extent of Jurisdiction (33 CFR 338 and 329):
☐ Ordinary High Water Mark indicated by:
☐ The presence of litter and debris
☐ The presence of litter and debris changes in the character of soil
☐ Wetland boundary
deforestation of terrigenous vegetation shearing 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
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule
☐ Headquarters decline to approve jurisdiction on the basis of 328.3(a)(3) (Local copy of HQ rationale)

Confirmaion 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: 1/23/05

Approved by: [Signature] Date: [Signature] Date:

1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (57 Manual) i.e., occurrence of hydrophytic vegetation, hydrology, and wetland hydrology). Procedures for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1997).
2Wetlands regulated from other waters of the U.S. by state-made rules or statutes, natural river basins, prairie waters, and the like are also regulated.

ORIGINAL SIGNED
<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-4 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt; 50 ac</th>
<th>Total</th>
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</tbody>
</table>

1. Check appropriate boxes that best describe type of instead, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

<table>
<thead>
<tr>
<th>Migratory Bird Rule Factors</th>
<th>Yes</th>
<th>No</th>
<th>Predicted to Occur</th>
<th>Not Expected to Occur</th>
<th>Not Able To Make Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is or would be used as habitat for birds protected by Migratory Bird Treaty?</td>
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<tr>
<td>Is or would be used as habitat by other migratory birds that cross state lines?</td>
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<tr>
<td>Is or would be used as habitat for endangered species?</td>
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<tr>
<td>Is used to irrigate crops sold in interstate commerce?</td>
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</tbody>
</table>

2. Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to non-nest, non-jurisdictional, isolated, non-navigable, intrastate aquatic resource area.

**TYPE OF DETERMINATION:**

- Preliminary | Or Approved

**OPTIONAL ADDITIONAL INFORMATION SUPPORTING NID (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NID, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring near):**
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: William J. McHenry PROJECT LOCATION/WATERWAYS: South of Monroe-Annawan Road and East of Cleveland Avenue in Monee, Will County, Illinois

FILE NUMBER: PROJECT REVIEW COMPLETED: Yes OFFICE: Field

Approved Jurisdictional Determination (JD) for Sites regulated under 33 CFR 328.300. An approved JD is an irrevocable 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 Determinations:
☐ 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))
☐ 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 to bordering, contiguous, or neighboring to interstate or other waters of the U.S. except for those wetlands adjacent to other wetlands. (33 CFR 328.3(a)(7))
☐ The presence of an isolated water (e.g., intermittent streams, mudflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds)
☐ Other:
☐ Section 10 wastewater

Information Reviewed:
☐ U.S. Fish and Wildlife Service National Wetland Inventory HARVEY.
☐ U.S. Geological Survey Hydrologic Atlas HARVEY, IL.
☐ USGS National Resources Conservation Service Soil Survey for Cook County.
☐ U.S. Geological Survey 7.5 Minute Elevation Quadtangles
☐ U.S. Geological Survey 15 Minute Elevation Quadtangles
☐ Aerials (Name & Date): Monee, 2000
☐ Advanced Identification Wetland Maps
☐ Site Visit Conducted on:
☐ Other information:

Rationale for Basis (applicable to any box checked above): The wetland located on the subject property does not drain to a navigable water and is therefore not jurisdictional.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
☐ Ordinary High Water Mark indicated by:
☐ Clear, natural line impressed on the bank
☐ by the presence of litter and debris
☐ by the character of soil
☐ Shallow
☐ 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) (unless 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: 23 FEB 05

Approved by: ORIGINAL SIGNED

Date: 23 FEB 05

1 Wetlands are identified and delineated using the methods and criteria codified in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands are also consistent with methods described in the Corps Wetland Delineation Manual (87).
2 Wetlands are identified and delineated using the methods and criteria codified in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands are also consistent with methods described in the Corps Wetland Delineation Manual (87).
INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago
FILE NUMBER: 2009106

REGULATORY PROJECT MANAGER: Melynda Cott
Date: 22 February 2005

PROJECT REVIEW/DETERMINATION COMPLETED:
In the office Y (Y/N) Date: 22 February 2005
At the project site Y (Y/N) Date: 

PROJECT LOCATION INFORMATION:
State: Illinois
County: Will
Center coordinates of site by latitude & longitudinal coordinates: 41.30.18.55 & 87.34.9.25
Approximate size of site/property (including uplands & in access): 50 acres
Name of waterway or watershed: Des Plaines

SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
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<th>&gt; 50 ac</th>
<th>Linear foot</th>
<th>Unknown</th>
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<td>Lake</td>
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</table>

*Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Role Factors:

If Known | If Unknown
---|---

<table>
<thead>
<tr>
<th>If Used Best Professional Judgment</th>
<th>Yes</th>
<th>No</th>
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<tr>
<td>Protected or Declared Endangered</td>
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<td>Not Expected to Declared Endangered</td>
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<tr>
<td>Not Able to Make Determination</td>
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<td></td>
</tr>
</tbody>
</table>

1. Is or would be used as habitat for birds protected by Migratory Bird Treaties? 
2. Is or would be used as habitat by other migratory birds that cross state line? 
3. Is or would be used as habitat for endangered species? 
4. Is or would be used as habitat for threatened species? 
5. Used to fly over areas used in interstate commerce? 

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Role to apply to isolated, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:
Preliminary  Or Approved 

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraphs 4 – 3 of table; paragraphs 2-3 of table 1): Additional information regarding potential navigation or interstate commerce connections: No paragraph 4 – site information on waters of the U.S. occurring onsite;
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Jim Homie PROJECT LOCATION: WATERWAY: SW 1/4, Sect. 15, T46N R8E

FILE NUMBER: 200000032 PROJECT REVIEW COMPLETED: Office Field

Approved Jurisdictional Determinations (JD)/For sites regulated under 33 CFR 328-329. 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 tide 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))
☐ 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 to (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., intermittent lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
Section 10 wetway.

Information Reviewed
☐ U.S. Fish and Wildlife Service National Wetland Inventory: RICHMOND
☐ U. S. Geological Survey Hydrologic Atlas
☐ USDA National Resources Conservation Service Soil Survey for McHenry County.
☐ U. S. Geological Survey 7.5 Minute Topographic Maps: RICHMOND.
☐ 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: MCHENRY COUNTY.
☐ Site Visit Conducted on: January 10, 2005

Rationale for Basis (applies to any boxes checked above): Two ravines are present on the subject property. These ravines flow to the west and off-site to a farm field. Evidence of a surface water connection to a navigable waterway was not detected at the site meeting. Therefore, the ravines are isolated and not regulated by the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
☐ clear, natural line impressed on the bank
☐ destruction of terrestrial vegetation
☐ the presence of litter and debris
☐ shelving
☐ changes in the character of soil
☐ wetland boundary
☐ other:

Basis for Declining Jurisdiction:
☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(7), or 328.3(a)(8) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCA Migratory Bird Rule criteria
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCA 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]

Approved by: [Signature: Date]


2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river banks, beach dunes, and the like are also adjacent.
INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago
FILE NUMBER: 2005000332

REGULATORY PROJECT MANAGER: Kate Bliss Date: 2/10/05

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: 1/10/05

PROJECT LOCATION INFORMATION:

State: Illinois
County: McHenry
Center coordinates of site by latitude & longitudinal coordinates: 42.27-42.2169, 88.17-37.4112
Approximate size of site/property (including uplands & in acres): 100
Name of waterway or watershed: Fox River

SITE CONDITIONS:

<table>
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<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
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</table>

*Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors:

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
<th>Use Best Professional Judgment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
<td>Predicted to Occur. Not Expected to Occur Not Able To Make Determination</td>
</tr>
<tr>
<td>Is or would be used as habitat for birds protected by Migratory Bird Treaty?</td>
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<td>Is or would be used as habitat for endangered species?</td>
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<tr>
<td>Is used to irrigate crops sold in interstate commerce?</td>
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<td></td>
</tr>
</tbody>
</table>

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite).