APPLICANT: Vland PROJECT LOCATION/WATERWAY: Intersection of Routes 19 and 59, Streamwood, Cook County, Illinois
FILE NUMBER: 200400796 PROJECT REVIEW COMPLETED: ☑ Office Field

Approved Jurisdictional Determination (J5) (For Sites regulated under 33 CFR 320-130). An approved J5 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 ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.1(a)(1))
☐ The presence of intermittent waters (including interstate wetlands1) (33 CFR 328.3(a)(2))
☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.2(a)(5))
☐ The presence of wetlands adjacent2 (bathing, contiguous, or neighboring) to interstate or other waters of the U.S. except for these wetlands adjacent to other wetlands (33 CFR 328.3(a)(5))
☐ 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 waterway.

Information Reviewed:
☒ U.S. Fish and Wildlife Service National Wetland Inventory: STREAMWOOD.
☒ NRCS Natural Resource Conservation Service Soil Survey for Cook County.
☒ U.S. Geological Survey 7.5 Min Historic Quadrangles: __________.
☒ Aerials (Name & Date): __________.
☒ Advanced Identification Wetland Maps: __________.
☒ Site Visit Conducted on: __________.
☒ Other Information: __________.

Rationale for Basis (Applies to any boxes checked above):
Wetland 3 flows into Poplar Creek and is under the jurisdiction of this office. Wetlands 1, 2, 4, and 5 are isolated depressions and are not under the jurisdiction of this office.

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

Basis for Declining Jurisdiction:
☐ Unable to confirm the presence of waters (a) 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)(5) [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: ______________

Approved by: ___________________________ Date: ______________

---

1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (FTM) [i.e., occurrence of hydrophytic vegetation, hydrologic soils and wetland hydrology]. Procedures 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 man-made slacks 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:** 200400796

**REGULATORY PROJECT MANAGER:** Kathy Chernich  
**Date:** 28, April 2005

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

**PROJECT LOCATION INFORMATION:**  
**State:** Illinois  
**County:** Cook

**Center coordinates of site by latitude & longitudinal coordinates:**

**Approximate size of site/property (including uplands & 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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*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>
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<tbody>
<tr>
<td>Yes</td>
<td>No</td>
<td>Predicted to Occur</td>
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</tbody>
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<tr>
<th>Is or would be used as habitat for birds protected by Migratory Bird Treaties?</th>
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<tr>
<td>Yes</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>

*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: Aspen Partners, LLC
PROJECT LOCATION/WATERWAY: Vernon Hills
FILE NUMBER: 200500053
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 no jurisdictional waters on the project site.
☐ There are waters of the United States on the project site.
☐ There are jurisdictional waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:
☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands1) (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)(2))
☐ The presence of wetlands adjacent2 (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., instate 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
☐ USDA Natural Resources Conservation Service Soil Survey for Lake County.
☐ U. S. Geological Survey 15 Minute Historic Quadrangles
☐ Aerial Name & Date: Lake County 1939, 2000, & 2004; Photosmapper 2001, 2002, & 2004
☐ Advanced Identification Wetland Maps: LAKE COUNTY.
☐ Site Visit Conducted on: November 2, 2004
☐ Other information:

Rationale for Basis (applies to any boxes checked above): Wetlands D & F (as labeled in supplied delineation report) have a hydrologic connection to Seavy Ditch through the piped unlined tributary running to the south of the property. Seavy Ditch flows via Indian Creek to the Des Plaines River, a navigable water of the United States below Hoffman Dam. Therefore, wetlands D & F are waters of the United States under the jurisdiction of the Department of the Army. Wetlands A, B, C, & E are not hydrologically connected to the piped tributary of Seavy ditch and have no known connection to another navigable water of the United States and are therefore not under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
☐ Ordinary High Water Mark indicated by
☐ clear, natural line impressed on the bank
☐ the presence of litter and debris
☐ changes in the character of soil
☐ wetland boundary
☐ Destruction of terrestrial vegetation
☐ Erosion
☐ 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 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 July 8, 2004, prepared by Tierro Ecological Consultants.
☐ This office does not confirm your wetland boundary.

Recommended by: [ ]

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, hydro-tracts and wetland hydrology). 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 man-made dikes or barriers, natural river terraces, 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: 200500033

REGULATORY PROJECT MANAGER: Michael Murphy
Date: 04/28/2005

PROJECT REVIEW/DETERMINATION COMPLETED:
In the office
At the project site

PROJECT LOCATION INFORMATION:
State:
County:
Center coordinates of site by latitude & longitude: 42°14'29.7789, 87°36'24.5984
Approximate size of site/property (including wetlands & in acres):
26 acres

Name of waterway or watershed:
Seavey Ditch/Indian Creek/Des Plaines

SITE CONDITIONS:

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<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>Linear feet</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</th>
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<tbody>
<tr>
<td>Use Best Professional Judgment</td>
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<tr>
<th>Yes</th>
<th>No</th>
<th>Predicted to Occur</th>
<th>Not Expected to Occur</th>
<th>Not Able to Make Determination</th>
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Is site or would be used as habitat for migratory birds protected by Migratory Bird Treaty?

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

Is site 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):
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Ryland Homes PROJECT LOCATION/WATERWAY: Liberty Street, Village of Aurora, DuPage County, IL
FILE NUMBER: 20050443 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.
☐ These are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:
☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands) (33 CFR 328.3(a)(2))
☐ 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 (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 wetland (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 Wildlife Inventory: NAPERVILLE.
☒ USDA Natural Resources Conservation Service Soil Survey for DuPage County.
☒ U. S. Geological Survey 7.5 Minute Historic Quadrangles: __________
☒ Aerial Photographs (Name & Date): April 2002
☒ Advanced Identification Wetland Maps: DUGAGE COUNTY.
☒ Site Visit Conducted on: __________
☒ Other information: __________

Rationale for Basis (applies to any boxes checked above): Waubonne Creek runs west of the project site; however, the wetlands that are within the project site are not hydrologically connected, therefore they are isolated.

Lateral Extent of Jurisdiction (33 CFR 321 and 329):
☐ Ordinary High Water Mark indicated by:
☐ clear, natural line impressed on the bank
☐ construction of terrestrial vegetation
☐the presence of litter and debris
☐abutting
☐ change in the character of soil
☐ other
☐ wetland boundary

Basis for Declining Jurisdiction:
☒ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☒ Area under consideration is 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]

Configuration 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: ____________

Approved by: ___________________________ Date: ____________

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydro units and wetland hydrology). Provisions for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.
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: 200500443

REGULATORY PROJECT MANAGER: Diedre Willis
Date: April 26, 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: April 25, 2005
At the project site (Y/N) Date:

PROJECT LOCATION INFORMATION:
State: Illinois
County: DuPage
Center coordinates of site by latitude & longitudinal coordinates: 41.46.1-1.940 & 88.12-53.7274
Approximate size of site property (including uplands & in acres): 47 acres
Name of waterway or watershed: Fox River Watershed

SITE CONDITIONS:

<table>
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<tr>
<th>Type of aquatic resource¹</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
<th>5-10 ac</th>
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<td>Prarie pothole</td>
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</table>

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 Rate Factors²:

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

²Check 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: Mr. Jan Sebek  PROJECT LOCATION/WATERWAY: 14389 Andover Road to Wadsworth, Lake County, Illinois (Section 26, T14N, R11E)
FILE NUMBER: 200505953  PROJECT REVIEW COMPLETED: Office Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 328-330). 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 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 CFR 328-3(a)(1))
☒ The presence of intertide waters (including intertide wetlands) (33 CFR 328.3 (a)(2))
☒ The presence of a tributary to an interstate or other water of the US. (33 CFR 328.3 (a)(5))
☒ The presence of wetlands adjacent to intertide waters (including intertide wetlands) (33 CFR 328.3 (a)(6))
☒ The presence of wetlands adjacent to intertide waters (including intertide wetlands) (33 CFR 328.3 (a)(7))
☒ The presence of an isolated water, i.e., intertide lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds.
☐ Other:
☐ Section 10 waterway.

Information Reviewed:
☐ U. S. Fish and Wildlife Service National Wetland Inventory: ____________
☐ U. S. Geological Survey Hydrologic Atlas
☐ USDA Natural Resources Conservation Service Soil Survey for Lake County
☐ U. S. Geological Survey 7.5 Minute Topographic Maps: ____________
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: ____________
☐ Aerials (Name & Date):
☐ Advanced Identification Wetland Maps: ____________
☐ Site Visit Conducted: March 31, 2005
☐ Other Information:

Rationale for Basis applies to any boxes checked above): The one wetland identified on the subject property extends offshore to the east and receives hydrology from the southwest. A hydrologic connection to a navigable water could not be identified.

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

Basis forDeclining Jurisdiction:
☒ Up to 33.28.3(a)(1), 33.28.3(a)(2), or 33.28.3(a)(4) through 33.28.3(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 33.28.3(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: ____________
☐ MITCHELL A. ISOE

Approved by: ____________________________ Date: ____________
☐ Chief, Regulatory Branch

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of Hydrophytic vegetation, hydro pools 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 terraces, 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: 200500593

REGULATORY PROJECT MANAGER: Paul Leffer
Date: April 27, 2005

PROJECT REVIEW/DETERMINATION COMPLETED:
In the office
Date: April 27, 2005
At the project site
Date: March 31, 2005

PROJECT LOCATION INFORMATION:
State: Illinois
County: Lake
Center coordinates of site by latitude & longitudinal coordinates: 42°25'57.7061"N 87°54'36.6984"W
Approximate size of site/property (including uplands & in acres): 1
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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<td>Prairie wetland</td>
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</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 Factors:

If Known

If Unknown

<table>
<thead>
<tr>
<th>Use Best Professional Judgment</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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<td>Is or would be used as habitat by other migratory birds that cross state lines?</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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</tbody>
</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

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: John Stanger
PROJECT LOCATION/WATERWAY: Long Grove/Indian Creek

FILE NUMBER: 200900486
PROJECT REVIEW COMPLETED: Office Field

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

Based on available information:
☒ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☐ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:
☒ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(3))
☒ 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)(5))
☒ The presence of wetlands adjacent (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands (33 CFR 328.3 (a)(7))
☐ The presence of an isolated water (e.g., intermittent lakes, rivers, streams (including intermittent streams), marshes, sandflats, wetlands, sloughs, prairie potholes, wet meadows, plays, lakes, or natural ponds)
☐ Other:
☐ Seisice 10 waterway.

Information Reviewed:
☐ U. S. Fish and Wildlife Service National Wetland Inventory
☐ USDA Natural Resources Conservation Service Soil Survey for Lake County.
☐ Aerials (Name & Date):
☐ Advanced Identification Wetland Maps: LAKE COUNTY.
☐ Site Visit Conducted on: March 31, 2005
☐ Other information:

Rationale for Basis (applies to empty boxes checked above): The wetland on the lot has no hydrologic connection to a navigable water of the United States and is therefore not under the jurisdiction of the Department of the Army

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

Basis for Declining Jurisdiction:
☒ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria

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: 2-28-05

Approved by:

Date:

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., presence of hydrophytic vegetation, hydrolic soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (987).
2 Wetlands are identified from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like and 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:** 20050556

**REGULATORY PROJECT MANAGER:** Michael Murphy  
**Date:** 04/26/2006

**PROJECT REVIEW/DETERMINATION COMPLETED:**  
In the office  
At the project site  
**Date:** 04/26/2005

**PROJECT LOCATION INFORMATION:**  
**State:** Illinois  
**County:** Lake  
**Center coordinates of site by latitude & longitudinal coordinates:** 42°12'51"N 87°48'36"W  
**Approximate size of site/property (including uplands & in acres):** 3/4 acre  
**Name of waterway or watershed:** Van Patten River/Indian Creek

**SITE CONDITIONS:**

<table>
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<th>Type of aquatic resource</th>
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<th>1-5 ac</th>
<th>5-10 ac</th>
<th>10-35 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 Rule Factors:**

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Best Professional Judgment</td>
<td>Predicted To Occur</td>
</tr>
</tbody>
</table>

| Is or would be used as habitat for birds protected by Migratory Bird Treaty? | Yes | No | Predicted To Occur | Not Expected To Occur | Not Able To Make Determination |
| Is or would be used as habitat for other migratory birds that occur 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):
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Forever Construction PROJECT LOCATION/WATERSWAY: Waubegon River/Lake Michigan
FILLS NUMBER: 20500457 PROJECT REVIEW COMPLETED: 6 Office Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)
Based on available information:
☐ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☐ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:
☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of an interstate water (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)(5))
☐ The presence of wetlands adjacent (i.e., intertidal, 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, plays lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed:
☐ U. S. Fish and Wildlife Service National Wetland Inventory
☐ USDA Natural Resources Conservation Service Soil Survey for Lake County.
☐ U. S. Geological Survey 15 Minute Historic Quadrangles
☐ Advanced Identification Wetland Maps: LAKE COUNTY.
☐ Site Visit Conducted on: February 5, 2005
☐ Other:

Rationale for Basis (applies to any box checked above): The wetland on site has no hydrologic connection to a navigable water of the United States and is therefore not under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
☐ Ordinary High Water Mark indicated by:
☐ clear, natural line impressed on the bank
☐ the presence of litter and debris
☐ littering
☐ 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)(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)(5) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries:
☐ This office concurs with your wetland delineation report dated January 28, 2005. Prepared by: [Signature]
☐ This office does not confirm your wetland boundary: [Signature]

Recommended by: [Signature]

Date: [Signature]

1 Wetlands are identified and delineated using the methods and criteria established in the U.S. Army Corps of Engineers (1987) Wetland Delineation Manual (87 Manual). This includes: (1) the presence of hydric soil; (2) the presence of hydrophytic vegetation, and (3) hydric soils and wetland hydrology. If the area is determined to be a wetland, the wetland identification and delineation methods used must be documented in the Corps Wetland Delineation Manual (1987).

2 Wetlands identified as being regulated waters under the Corps of Engineers jurisdiction are those wetlands located within 500 feet of the U.S. boundary or regulated waters under the Corps of Engineers jurisdiction are those wetlands located within 500 feet of a U.S. boundary (b) Method B wetlands.

Original Signed: [Signature]
Date: [Signature]
### 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:**  
**REGULATORY PROJECT MANAGER:** Michael Murphy  
**Date:** 4/25/2005

**PROJECT REVIEW/DETERMINATION COMPLETED:**  
- **In the office**
- **At the project site**

<table>
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<tr>
<th>(Y/N) Date</th>
<th>4/25/2005</th>
<th>2/3/2005</th>
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**PROJECT LOCATION INFORMATION:**  
- **State:** Illinois  
- **County:** Lake  
- **Lake:** Waukegan River/Lake Michigan  
- **Center coordinates of site by latitude & longitudinal coordinates:** 42 24 24.796D, 87 51 26.076D  
- **Approximate size of site property (including uplands & in acres):** 1/2 acre  
- **Name of waterway or watershed:**

**SITE CONDITIONS:**

<table>
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<tr>
<th>Type of aquatic resource</th>
<th>0-1 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 Role Factors | If Known | If Unknown  
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<td>Is or would be used as habitat by other migratory birds that cross state line?</td>
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<tr>
<td>Is or would be used as habitat for endangered species?</td>
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</table>

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

**TYPE OF DETERMINATION:** Preliminary  
**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: Tom Schreiner  PROJECT LOCATION/WATERWAY: Parcel located east of Galligan Road and south of Boone Road in Rutland Township, Kane County, Illinois (R 1/2 of Section 13, T42N R2E)

FILE NUMBER: 20059237  PROJECT REVIEW COMPLETED: Office Field

Approved Jurisdictional Determination (JID) (For sites regulated under 33 CFR 220-330). 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 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 interstate water or other water of the U.S. (33 CFR 328.3(a)(5))
☐ The presence of wetlands adjacent to other waters (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: ELGIN.
☐ USDA Natural Resources Conservation Service Soil Survey for Kane County.
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles:
☐ U. S. Geological Survey 15 Minute Historic Quadrangles:
☐ Aerial Photographs (Name & Date): USGS, April 10, 2002
☐ Advanced Identification Wetland Maps: KANE COUNTY
☐ Site Visit Conducted on: a site visit was conducted for a portion of this property by James Hamen on 2 occasions, so there was no need for a 3rd site visit

Rationale for basis (applies to any boxes checked above): Wetland 1 and Farmed Wetland 1 have a surface water tributary system connection to an unnamed tributary of the Kiotkawas River and are therefore under the jurisdiction of the U.S. Army Corps of Engineers. Farmed Wetland 2 is isolated and not under the jurisdiction of the U.S. Army Corps of Engineers.

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

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

☐ Basis for Declining Jurisdiction:

☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is likely likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria

Headwaters declared to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries:

☐ This office is consistent with your wetland delineation report dated , prepared by
☐ This office does not confirm your wetland boundary.

Recommended by: ORIGINAL SIGNED Date: 4/25/05

Approved by: Date:

1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (57 Manual) (i.e., occurrence of hydric vegetation, hydrophytic vegetation, wet marshes, or wetland 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 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

DISTRIBUTE OFFICE: Chicago  
FILE NUMBER: 200500337  
REGULATORY PROJECT MANAGER: Jamie Hammit  
Date: 04/25/05

PROJECT REVIEW/DETERMINATION COMPLETED:
In the office (Y/N) Date: 04/25/05  
At the project site (Y/N) Date:

PROJECT LOCATION INFORMATION:
State: Illinois  
County: Kane  
Center coordinates of site by latitude & longitudinal coordinates: Lat: 42-7-1, Long: 88-22-13  
Approximate size of site/property (including uplands & in acres): 150  
Name of waterway or watershed: unnamed tributary/Kinwauke River  

SITE CONDITIONS:

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<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
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<th>10-25 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</th>
<th>Predicted to Occur</th>
<th>Not Expected to Occur</th>
<th>Not Able to Make Determination</th>
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<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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<td>Is used to irrigate crops sold in interstate commerce?</td>
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</table>

2 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 – estimates 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: Patricia Brunette/Schwabert Family Partnership PROJECT LOCATION/WATERWAY: 120-acre parcel located north of Harlax Road and west of Deepwell Road in unincorporated Aurora, Kane County, Illinois (SW 1/4 of Section 12 and NW 1/4 of Section 13, T38N R7E)

FILE NUMBER: 200500174 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 334-2)

Based on available information:
☐ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☐ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:
☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) [33 CFR 328.3(a)(1)]
☐ The presence of interstate waters (including interstate wetlands). [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 the water of the US. [33 CFR 328.3(a)(4)]
☐ The presence of wetlands associated with the water of the US. [33 CFR 328.3(a)(5)]
☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandbars, wetlands, sloughs, prairie potholes, wet meadows, plays, sloughs, or natural ponds).
☐ Other:
☐ Stream 10 waterway.

Information Reviewed:
☐ U. S. Fish and Wildlife Service National Wetland Inventory: SUGAR GROVE.
☐ USDA Natural Resources Conservation Service Soil Survey for Kane County.
☐ U. S. Geological Survey 7.5 Minute Hydrologic Quadrangles:
☐ U. S. Geological Survey 15 Minute Historic Quadrangles:
☐ Quickbird Imagery (Name & Date): USGS, April 10, 2005
☐ Advanced Identification: Wetland Maps: [MAP]
☐ Site Visit Conducted on: February 17, 2005 by Jaimee W. Hamann of the USACE, Chicago District
☐ Other information:

Rationale for Basis (applies to any boxes checked above). The farmed wetland identified on the subject property by the NRCS (identified in the RMA report as Farmed Wetland 1) is isolated and not under the jurisdiction of the U.S. Army Corps of Engineers.

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

Basis for Declining Jurisdiction:
☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely to have been jurisdictional under 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 concurs with your wetland delineation report dated __________________, prepared by __________________
☐ This office does not confirm your wetland boundary.

Recommended by: __________________ Date: ______/____/____

Approved by: __________________ Date: ______/____/____

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

2Wetlands 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.
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: 200300124
REGULATORY PROJECT MANAGER: Jaime Hummell
Date: 4/21/05
PROJECT REVIEW/DETERMINATION COMPLETED: (Y/N) Date: 4/21/05
At the project site (Y/N) Date: 2/17/05
PROJECT LOCATION INFORMATION:
State: Illinois
County: Kane
Center coordinates of site/proximity (including uplands & in acres): Lat: 41°47.7, Long: 88°23.19
Approximate size of site/proximity (including uplands & in acres): 120
Name of waterway or watershed: Lake Run/Fox River

SITE CONDITIONS:

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<th>1-3 ac</th>
<th>3-5 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-navigable aquatic resource area.

Migratory Bird Section:

<table>
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<th>If Known</th>
<th>If Unknown</th>
<th>Unfamiliar Professional Judgment</th>
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<td>Not Expected to Occur</td>
<td>Not Able To Make Determination</td>
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</tbody>
</table>

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to oasis, 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: Immanuel Lutheran Church PROJECT LOCATION/WATERWAY: Crystal Lake, McHenry, Co.

FILE NUMBER: 200505041 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 wetlands on the project site.
☐ There are non-jurisdictional wetlands 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 wetlands 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 329.3(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 sequestering) 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., interstate 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: CRYSTAL LAKE.


☐ USDA National Resources Conservation Service Soil Survey for McHenry County.


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

☐ Aerial Photographs (Name & Date): 2002

☐ Advanced Identification Wetland Maps: MCHENRY COUNTY.

☐ Site Visit Conducted on: March 17, 2005

☐ Other information:

Rationale for Basis (applies to all boxes checked above): One isolated wetland is located in the southwest portion of the property. Wetlands with no traceable hydrologic connection to a navigable waterway 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 impressed on the bank

☐ changes in the character of soil

☐ wetland boundary

☐ destruction of vegetative vegetation

☐ flooding

☐ 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 has likely 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:

Approved by:

☐ Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (1987) and the U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service Wetland Delineation Manual (1988).

☐ Wetlands are delineated using the methods and criteria established in the Corps Wetland Delineation Manual (1987) and the U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service Wetland Delineation Manual (1988).

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☐ Wetlands are delineated using the methods and criteria established in the Corps Wetland Delineation Manual (1987) and the U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service Wetland Delineation Manual (1988)
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: 20650441

REGULATORY PROJECT MANAGER: Kate Bliss
Date: 4/21/05

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: 7/1/05
PROJECT LOCATION INFORMATION:
State: Illinois
County: McHenry
Center coordinates of site by latitude & longitudinal coordinates:
42-11-59-9233, 88-19-5.83×2
Approximate size of site/property (including uplands & in acres):
60
Name of waterway or watershed:
Fox River

SITE CONDITIONS:

<table>
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<th>Type of aquatic resource¹</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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</tbody>
</table>

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 Factors¹:

<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</td>
</tr>
<tr>
<td>Is or would be used as habitat for birds protected by Migratory Bird Treaty?</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>
</tr>
<tr>
<td>Is or would be used as habitat for endangered species?</td>
<td>☐ ☒ ☐ ☐</td>
<td></td>
</tr>
<tr>
<td>Is soil or irrigate crops sold in interstate commerce?</td>
<td>☐ ☒ ☐ ☐</td>
<td></td>
</tr>
</tbody>
</table>

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule is 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: Archdiocese of Joliet  
PROJECT LOCATION/WATERWAY: Northeast of the Intersection of U.S. Route 6 and Tylcaa Street in Channahon, Will County, Illinois  
FILE NUMBER: 200505270  
PROJECT REVIEW COMPLETED:   Office  Final  
Approved Jurisdictional Determination (JD)  (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  
Based on available information:  
☐ There are no waters on the project site.  
☐ There are non-jurisdictional waters on the project site.  
☐ There are waters of the United States on the project site.  
☐ There are both waters of the United States and non-jurisdictional waters on the project site.  

Basis of Jurisdictional Determination:  
☐ There are no jurisdictional waters of the United States present on the project site.  
The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U. S.) (33 CFR 328.3(a)(1))  
The presence of interstate waters (including interstate wetlands1). (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 adjacent2 (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, sandbars, wetlands, sloughs, prairie potholes, wet meadows, playas, lakes, or natural ponds):  
☐ Other:  
☐ Section 10 waterway.  

Information Reviewed  
☐ U.S. Fish and Wildlife Service National Wetland Inventory: CHANNAHON.  
☐ USDA Natural Resources Conservation Service Soil Survey for Will County.  
☐ U.S. Geological Survey 7.5-Minute Historic Quadrangles:  
☐ AERIALS (Name & Date) Channahon, 2002  
☐ Advanced Identification Wetland Maps:  
☐ Site Visit Conducted:  
☐ Other information: NRCS Certified Wetland Determination  

Rationale for Basis Applies to any Boxes Checked Above: There are no wetlands located on the subject property.  

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

Basis for Declining Jurisdiction:  
☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(5) through 328.3(a)(7)  
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria  
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria  
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(4) [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:  

Approved by:  
☐ Date:  

1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Edition) i.e., occurrence 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).  
2Wetlands separated from other waters of the U.S. by non-natural dike or barriers, natural river banks, beach dunes, and the like are also adjacent.
APPLICANT: Jacobs Home • PROJECT LOCATION/WATERWAY: West Of Wetland Road And South Of Aptakisic Road In Buffalo Grove, Lake County, Illinois (Section 28, T43N, R11E)

FILE NUMBER: 20050041 PROJECT REVIEW COMPLETE: Office [Field]

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320.339) 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 the 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 a tributary to an interstate water or other water of the U.S. (33 CFR 328.3 (a)(3))
☐ The presence of wetlands adjacent (i) 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 lakes, rivers, streams including intermittent streams, swamps, marshes, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:

☐ Section 10 waterway.

Information Review:

☐ U.S. Fish and Wildlife Service National Wetland Inventory:
☐ U.S. Geological Survey Hydrologic Atlas:
☐ USDA Natural Resources Conservation Service Soil Survey for Lake County:
☐ U.S. Geological Survey 7.5 Minute Topographic Maps:
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles:
☐ U.S. Geological Survey 15 Minute Historic Quadrangles:
☐ Aerials (Name & Date):
☐ Advanced Identification Wetland Maps: LAKE COUNTY.
☐ Site Visit Conducted on:
☐ Other information:

Rationale for Basis (apply to any boxes checked above): Wetland 1, 2, and 3, as referenced in your delineation report, do not exhibit a hydrologic connection to a navigable water and are therefore not under the jurisdiction of this office.

Lateral Extent of Jurisdiction (33 CFR 328 and 339):

☐Ordinary High Water Mark indicated by:
☐ clear, natural line impressed on the bank
☐ the presence of litter and debris
☐ changes in the channel of soil
☐ wetland boundary
☐estruction of terrestrial vegetation
☐ Shelfing
☐ 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 338.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rook criteria
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rook 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 agrees with your wetland delineation report dated , prepared by .
☐ This office does not agree your wetland boundary.

Recommended by:

☐ 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, hydro soils and wetland hydrology). 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, made dikes or barriers, natural levee banks, beach dunes, and the like are also adjacent.
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: 200500461

REGULATORY PROJECT MANAGER: Paul Leffer
Date: April 14, 2005

PROJECT REVIEW/DETERMINATION COMPLETED:
In the office (Y/N) Date: April 14, 2005
At the project site (Y/N) Date:

PROJECT LOCATION INFORMATION:
State: Illinois
County: Lake
Center coordinates of site by latitude & longitude coordinates:
E 42°10'54.8142 N 47°57'4.0619
Approximate size of site/property (including uplands & in acres):
8.4
Name of waterway or watershed:
Des Plaines

SITE CONDITIONS:

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<th>Type of aquatic resource¹</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>3-5 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 Rate Factors²:

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<thead>
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<th>If Known</th>
<th>If Unknown</th>
<th>Use Best Professional Judgment</th>
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<td>Prevented to Occur</td>
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<td>In or would be used as habitat for birds protected by Migratory Bird Treaty?</td>
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<td>In or would be used as habitat for other migratory birds that cross state lines?</td>
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<tr>
<td>In or would be used as habitat for endangered species?</td>
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</tr>
<tr>
<td>In area to irrigate crops used in interstate commerce?</td>
<td></td>
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</tbody>
</table>

²Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rate 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., 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: Mr. Dennis Bucalo  PROJECT LOCATION/WATERWAY: North Of Brandt Road, West Off IL Route 59 Near Barrington, Lake County, Illinois (Section 26, T43N, R9E)

FILE NUMBER: 2005050317  PROJECT REVIEW COMPLETED: 15 Office Field

Approved Jurisdictional Determination (JD): For sites regulated under 33 CFR 320-330. An approved JD is in 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 tides (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 tributary to an interstate water or other water of the U.S. (33 CFR 328.3(a)(5)).
☐ The presence of wetlands adjacent 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 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:
☐ J.S. Geological Survey Hydrologic Atlas:
☐ USDA Natural Resources Conservation Service Soil Survey for Lake County:
☐ U.S. Geological Survey 7.5 Minute Topographic Maps: Barrington, 1993:
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles:
☐ U.S. Geological Survey 15 Minute Historic Quadrangles:
☐ Aerials (Name & Date): 2000
☐ Advanced Identification Wetland Maps:
☐ Site Visit Conducted on: March 22, 2005
☐ Other information:

Rationale for Basis (applies to any boxes checked above): The one wetland identified in the submitted materials was part of a larger offshore wetland and did not have an identifiable hydrological connection to a navigable water.

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

Basis for Declining Jurisdiction:
☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria

Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

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

Recommended by: Date: 4/13/05
Approved by: Date: 4/15/05

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (1987) (i.e., occurrence 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).
2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river bends, 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: 200500317

REGULATORY PROJECT MANAGER: Paul Leffler Date: April 13, 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: April 13, 2005
At the project site (Y/N) Date: March 22, 2005

PROJECT LOCATION INFORMATION:
State: Illinois
County: Lake
Centre coordinates of site by latitude & longitudinal coordinates: 42'-10.147985', 88'-8.338733'
Approximate size of site/property (including uplands & in acres): 8.5 Acres
Name of waterway or watershed: Fox River

SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
<th>5-10 ac</th>
<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 resource area.

Migratory Bird Rate Factors:

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
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</thead>
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<tr>
<td>Use Best Professional Judgment</td>
<td>Not Able To Make Determination</td>
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</table>

<table>
<thead>
<tr>
<th>Is or would be used as habitat for birds protected by Migratory Bird Treaties?</th>
<th>Yes</th>
<th>No</th>
<th>Predictor to Occur</th>
<th>Not Expected to Occur</th>
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<td>Is or would be used as habitat by other migratory birds that cross state line?</td>
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<tr>
<td>Is or would be used as habitat for endangered species*</td>
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<td>Is used to irrigate crops sold in interstate commerce?</td>
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</table>

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rate 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., 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: Beyn Mow Corp.  PROJECT LOCATION/WATERWAY: Crystal Lake, McHenry Co., IL.
FILE NUMBER: 200803345  PROJECT REVIEW COMPLETED: ☑ office Field

Approved Jurisdictional Determination (JID) for sites regulated under 33 CFR 328-330. An approved JID is an appealable action. (33 CFR 331.2). 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 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 338.3(a)(1))
☐ The presence of interstate waters (including intermittent 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 (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., interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playas, lakes, or natural ponds).
☐ Other: Section 10 roadway.

Information Reviewed:
☐ U.S. Fish and Wildlife Service National Wetland Inventory: MCHENRY.
☐ USDA Natural Resources Conservation Service Soil Survey for McHenry County.
☐ U.S. Geological Survey 7.5 Minute Topographic Maps: MCHENRY COUNTY.
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles: __________.
☐ Aerial Photographs (Name & Date): 2002
☐ Advanced Identification Wetland Maps: MCHENRY COUNTY.
☐ Site Visits Conducted on: February 4, 2005
☐ Other information:

Rationale for Basis (applies to any boxes checked above): The wetland along the ComEd Easement, as depicted in the Wetland Assessment Report, dated January 24, 2005, as prepared by Phoenix Environmental, Inc., does not have a hydrologic connection to a navigable waterway and is not regulated under the Clean Water Act.

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
☐ marshing
☐ changes in the character of soil
☐ wetland boundary
☐ other

Basis for Declining Jurisdiction:
☐ Unable to confirm the presence of waters listed in 37 CFR 328.1(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) [brach 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: ______________

Approved by: ______________  Date: ______________

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (1977) (i.e., presence of hydric vegetation, hydrology, and wetland hydrology). Procedures for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
2 Wetlands are delineated on the basis of water bodies, wetlands, and wetland hydrology. Procedures for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
3 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (1977) (i.e., presence of hydric vegetation, hydrology, and wetland hydrology). Procedures for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
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: 200500345

REGULATORY PROJECT MANAGER: Karen Bliss
Date: 4/5/05

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: Y 5/4/05
At the project site Y (Y/N) Date: Y 5/4/05

PROJECT LOCATION INFORMATION:
State: Illinois
County: McHenry
Center coordinates of site by latitude & longitudinal coordinates: 42.15-8.3189, 88.20-59.7758
Approximate size of site/property (including uplands & in acres): 10
Name of waterway or watershed: Fox

SITE CONDITIONS:

<table>
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<tr>
<th>Type of aquatic resource</th>
<th>0-1 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 Rule Factors:

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknowns</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Best Professional Judgment</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>No</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).
APPLICANT: SOS Children’s Village
PROJECT LOCATION/WATERWAY: Northwest of Intersection of Bruce Road and Oak Avenue in Lockport, Will County, Illinois
FILE NUMBER: 206-00920
PROJECT REVIEW COMPLETED: 0 Office 0 Field

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

Based on available information:

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

Basis of Jurisdictional Determination:

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

Information Reviewed:
☒ U. S. Fish and Wildlife Service National Wetland Inventory: JOLIET.
☒ USDA Natural Resources Conservation Service: Soil Survey for Will County.
☒ U. S. Geological Survey 7.5-Minute Historic Quadrangle:
☒ U. S. Geological Survey 15-Minute Historic Quadrangle: __________.
☒ Aerials (Name & Date): Lockport, 1986.
☒ Advanced Identification Wetland Maps: __________.
☒ Site Visit Conducted: March 26, 2002.
☒ Other information:

Rationale for Basis (applies to any boxes checked above): Wetlands 1-6 are isolated and therefore not jurisdictional.

External Extent of Jurisdiction (33 CFR 328 and 330):

☐ Ordinary High Water Mark indicated by:
☐ clean, natural line impressed on the bank
☐ construction of territorial vegetation
☐ presence of litter and debris
☐ other: shelving
☐ 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)(4) 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 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 (87 Manual) (i.e., occurrence of hydrologic vegetation, aquatic soils and wetland hydrology). Procedures for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

1 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.
APPLICANT: Emilie Banks
PROJECT LOCATION/WATERWAY: Northwest of intersection of Bruce Road and Oak Avenue in Lockport, Will County, Illinois
FILE NUMBER: 200400430

Approved Jurisdictional Determination (JD): (For Sites regulated under 33 CFR 320-330). An approved JD is an applicable 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 used as a part of, 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 a tributary to an intermittent water or other water of the US (33 CFR 328.3(a)(5))
☐ The presence of wetlands adjacent to (bordering, contiguous, or neighboring) to intermittent or other waters of the US, except for these wetlands adjacent to other wetlands (33 CFR 328.3(a)(7))
☐ The presence of an isolated water (e.g., intrastrat lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or similar ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed:
☒ U.S. Fish and Wildlife Service National Wetland Inventory: JOLIET.
☒ USDA Natural Resource Conservation Service Soil Survey for Will County.
☒ U.S. Geological Survey 15-Minute Historic Quadrangle:
☒ Aerials (Name & Date): Lockport, 1986
☒ Advanced Identification Wetland Maps: ____________
☒ Site Visit Conducted on: March 24, 2005
☒ Other Information:

Rationale for Basis (applies to any boxes checked above): Wetlands 1-6 are isolated and therefore no 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 ______
☐ 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)(7) through 328.3(a)(7)
☐ Area under consideration is not likely to have been jurisdictional under pre-SWANCC Mitigation Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(7) [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: 6/9/07

Approved by: ___________________________ Date: ____________

1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (97 Manual) (i.e., occurrence of hydrophytic vegetation, hydro soils and wetland hydrology). Procedures for determining wetlands on agricultural lands may vary from those described in the Corps Wetland Delineation Manual (97 Manual).
2Wetlands upland from other waters of the U.S. by man-made dikes or barriers, natural river bends, road, dikes, and the like are also subject.
APPLICANT: Deer Point Homes PROJECT LOCATION/WATERWAY: Church St. and Rte. 20, McHenry Co.

FILE NUMBER: 200501069 PROJECT REVIEW COMPLETED: Office Field

Approved Jurisdictional Determination (JD) (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-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)(3))

☐ The presence of interstate waters (including interstate wetlands) ¹ (33 CFR 328.3(a)(2))

☐ The presence of a tributary to an interstate water or other water of the 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, 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.
☐ USDA Natural Resources Conservation Service Soil Survey for McHenry County.
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangle: ________.
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: ________.
☐ Aerial Photographs (Name & Date): 2002 Advanced Identification Wetland Maps: MCHENY COUNTY.
☐ Site Visit Conducted on: February 28, 2005
☐ Other Information: FEMA Flood Map

Rationale for Basis (applies to any boxes checked above): Referencing the Wetland Delineation Report dated September 14, 2004, as prepared by Hey and Associates, Inc., Wetland Areas 1, 2, 3, 4, 5, 6 and the furred wetland in the northeastern portion of the property do not exhibit a surface water connection to a navigable waterbody. These areas are not jurisdictional under Section 404 of the Clean Water Act.

Lateral Extent of Jurisdiction (33 CFR 331 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
☐ shelling
☐ 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 jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria

☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

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

Recommended by:

☐ Approved by: ___________________________ Date: ___________________________

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (67 Manual) (i.e., occurrence of hydric vegetation, hydrologic soils and wetland 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 man-made dikes or barriers, natural river bends, beach dunes, and the like are also adjacent.
APPLICANT: ARC Design Resources, Inc
PROJECT LOCATION/WATERWAY: Route 64 and Bloomingdale Road, Glendale Heights, DuPage County
FILE NUMBER: 200401154
PROJECT REVIEW COMPLETED: 6 Office Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an approvable 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 trans- -port 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 intertine wetlands (including intertidal 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 intertide 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, springs, streams including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, physi lakes, or natural ponds.
□ Other:
□ Section 10 waterway.

Information Reviewed:
□ U.S. Fish and Wildlife Service National Wetland Inventory: LOMBARD.
□ USDA Natural Resources Conservation Service Soil Survey for DuPage County.
□ U.S. Geological Survey 7.5 Minute Historic Quadrangles:
□ Aerial Photographs (Name & Date):
□ Advanced Identification Wetland Map: DUPAGE COUNTY.
□ Site Visit Conducted on: March 15, 2005
□ Other information:

Rationale for Basis (apply to any boxes checked above): Wetland area within the project site flows into storm sewer. No hydrological connection observed, therefore the wetland is isolated.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
□ Ordinary High Water Mark indicated by:
□ clear, natural line imprinted on the bank
□ the presence of litter and debris
□ changes in the character of soil
□ wetland boundary
□ Instruction of terrestrial vegetation
□ Shelving
□ Other

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

Confirmation of Wetland Boundaries
□ This office recognizes your wetland delineation report dated , prepared by
□ This office does not confirm your wetland boundary:

Recommended by: Date: 4/17/05

Approved by: Date: 4/17/05

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (2nd Manual) i.e., occurrence of hydrophytic vegetation, hydrologic soils and wetland hydrology. Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

2 Wetlands adjacent to other waters of the U.S. by man-made dikes or barriers, natural river berms, 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:** 200401154

**REGULATORY PROJECT MANAGER:** Dieter Willis  
**Date:** April 12, 2005

**PROJECT REVIEW/DETERMINATION COMPLETED:** In the office  
**At the project site**  
**Date:** April 12, 2005  
**Date:** March 15, 2005

**PROJECT LOCATION INFORMATION:**  
**State:** Illinois  
**County:** DuPage  
**Location:** 41°54'11.634" & 88°4'57.8858"  
**Linear feet:** 1.65

**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>Unknown</th>
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<tbody>
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<td>Stream</td>
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<td>Dry Wash</td>
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<td>Slough</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>Migratory Bird Rule Factors</th>
<th>If Known</th>
<th>If Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is it would be used as habitat for birds protected by Migratory Bird Treaty?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Is it would be used as habitat by other migratory birds that cross state lines?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Is it would be used as habitat for endangered species?</td>
<td>Yes</td>
<td>No</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 areas.*

**TYPE OF DETERMINATION:** Preliminary or 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: Jennifer Nichols
PROJECT LOCATION/WATERWAY: Southwest of the intersection of Fox Street and Copperfield Avenue in Joliet, Will County, Illinois
FILE NUMBER: 200503030
PROJECT REVIEW COMPLETED: Office Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 C.F.R. 320-330). An approved JD is an appealable decision. (33 C.F.R. 321.2)

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 C.F.R. 328.3(a)(1))
☐ The presence of intermittent waters (including intermittent wetlands). (33 C.F.R. 328.3(a)(2))
☐ The presence of a tributary to an interstate water or other water of the US. (33 C.F.R. 328.3(a)(5))
☐ The presence of wetlands adjacent to or bordering, contiguous, or neighboring to intermittent or other waters of the U.S., except for those wetlands adjacent to other wetlands. (33 C.F.R. 328.3(a)(7))
☐ The presence of an isolated water (e.g., impoundment lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed:
☐ U.S. Fish and Wildlife Service National Wetland Inventory: JOLIET.
☐ USDA Natural Resources Conservation Service Soil Survey for Will County.
☐ AERIALS (NAME & DATE): Joliet, 2002
☐ Advanced Identification Wetland Maps: JOLIET.
☐ Site Visit Conducted on:
☐ Other Information:

Rationale for Basis (apply to any boxes checked above): There are no jurisdictional areas located on the subject property.

Lateral Extent of Jurisdiction (33 C.F.R. 328.2 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
☐ other:
☐ wetland boundary

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(a)(17)
☐ 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)(7) [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:

Approved by: Date:

Wetlands are identified and delineated using the methodological criteria established in the Corps Wetland Delineation Manual (87 Manual) i.e., occurrence of hydric vegetation, hydrologic soils and wetland hydrology. Processes for describing 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.
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Carbon Construction PROJECT LOCATION/WATERWAY: West Of Lakeside Road And North Of Westmoreland Drive In Vernon Hills, Lake County, Illinois (Section 7, T41N, R11E)

FILE NUMBER: 20050934 PROJECT REVIEW COMPLETED: 5/2 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 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 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 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: undefined

☒ U.S. Geological Survey Hydrologic Atlas

☒ USDA Natural Resources Conservation Service Soil Survey for Lake County.


☒ U.S. Geological Survey 7.5 Minute Historic Quadrangles:

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

☒ Aerials (Name & Date): 2000

☒ Advanced Identification Wetland Maps:

☒ Site Visit Conducted on: March 29, 2005

☒ Other information:

Rationale for Basis (applies to any boxes checked above): During a March 29, 2005 field visit our office identified one wetland on the project site. This small, low quality wetland was contiguous with a pond that had no identifiable outlet. Therefore this wetland is considered isolated and not subject to federal regulation.

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

☐ Ordinary High Water Mark indicated by:

☐ clear, natural line impressed on the bank

☐ the presence of litter and debris

☐ changes in the character of soil

☐ wetland boundary

☐ destruction of terrestrial vegetation

☐ 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 likely not to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria

☒ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(1) [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: ___________________

Approved by: ___________________ Date: 4/11/05

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (85 Manual) (i.e., occurrence of hydrophytic vegetation, by-wet soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

1 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river bars, beach dunes, and the like are also adjacent.
INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAGIBLE, 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: 20050634

REGULATORY PROJECT MANAGER: Paul Lefler
Date: April 11, 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office y (Y/N) Date: 11 Apr 2005
At the project site y (Y/N) Date: 29 Mar 2005

PROJECT LOCATION INFORMATION:
State: Illinois
County: Lake
Center coordinates of site by latitude & longitudinal coordinates: 42°33'14"N 87°39'4.5540"W
Approximate size of site/property (including uplands & in acres): 0.5
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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</tbody>
</table>

*Check appropriate box (the best estimate of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors:

If Known Use Best Professional Judgment

<table>
<thead>
<tr>
<th>Predetermined to Occur</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></td>
</tr>
</tbody>
</table>

*Check appropriate box (the best estimate of migratory bird rule to apply based on site, 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):
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: 200500369

REGULATORY PROJECT MANAGER: Kate Bliss
Date: 4/1/05

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: At the project site (Y/N) Date: 2/28/05

PROJECT LOCATION INFORMATION:
State: Illinois
County: McHenry
Center coordinates of site by latitude & longitudinal coordinates: 42°10'-51.6378', 88°31'-1.1306
Approximate size of site/property (including uplands & in acres): 129
Name of waterway or watershed: Kilbourn

SITE CONDITIONS:

Type of aquatic resource* | 0-1 ac | 1-5 ac | 5-10 ac | 10-25 ac | 25-50 ac | > 50 ac | Linear feet | Unknown
--- | --- | --- | --- | --- | --- | --- | --- | ---
Lake | | | | | | | | |
River | | | | | | | | |
Stream | | | | | | | | |
Dry Wash | | | | | | | | |
Mudflat | | | | | | | | |
Sandbar | | | | | | | | |
Wetlands | | | | | | | | |
Shoal | | | | | | | | |
Prairie pothole | | | | | | | | |
Wet meadow | | | | | | | | |
Playa lake | | | | | | | | |
Vernal pool | | | | | | | | |
Natural pond | | | | | | | | |
Other water (identify type) | | | | | | | | |

*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>
<th>Not Able To Make Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Predicted to Occur</td>
</tr>
<tr>
<td>In or would be used as habitat for birds protected by Migratory Bird Treaty?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>In or would be used as habitat by other migratory birds that cross state lines?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>In or would be used as habitat for endangered species?</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>
</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):