APPLICANT: Jack Showbro
PROJECT LOCATION/WATERWAY: Alden Township, McHenry County
FILE NUMBER: 200406017 PROJECT REVIEW COMPLETED: □ Office □ Field
Approved Jurisdictional Determination (JD) for site regulated under 33 CFR 320-330. An approved JD is an appealable action. (33 CFR 331.2.) An approved JD is an appealable action. (33 CFR 331.2.) Based on available information:
■ There are no waters on the project site.
□ There are non-jurisdictional waters on the project site.
□ There are waters of the United States on the project site.
□ There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
□ There are no jurisdictional waters of the United States present on the project site.
□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
□ The presence of interstate waters (including interstate wetlands) (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 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), moats, cattails, wetlands, sloughs, prairie potholes, wet meadows, ponds, lakes, or natural ponds).
Other: Section 10 waterway.
Information Reviewed:
□ U.S. Fish and Wildlife Service National Wetlands Inventory: ________________________________
□ USDA National Resources Conservation Service Soil Survey for McHenry County.
□ U.S. Geological Survey 7.5 Minute Quadrangle:
□ U.S. Geological Survey 15 Minute Quadrangle:
□ Aerial Photographs (Name & Date): 2002
□ Advanced Identification Wetland Map: MCHENRY COUNTY.
□ Site Visit Conducted on: May 27, 2004
□ Other: ________________________________

Rationale for Basis (applicable to boxes checked above): One isolated wetland occurrence on the project subject property: isolated wetlands are not under Department of the Army jurisdiction.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
□ Ordinary High Water Mark indicated by:
□ close, 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 322.3(a)(1), 322.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) (c) (d)
□ 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
□ Headwaters deemed 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 ________________________________.

Approved by: ________________________________ Date: 5/2/04

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

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:** 2004080617

**REGULATORY PROJECT MANAGER:** Kate Biss  
**Date:** 5/28/04

**PROJECT REVIEW/DETERMINATION COMPLETED:**  
In the office (Y/N) Date: 5/27/04

**PROJECT LOCATION INFORMATION:**  
State: Illinois  
County: McHenry  
Center coordinates of site by latitude & longitudinal coordinates: 42.25-39.4118, 88.33-23.3557  
Approximate size of site/property (including uplands & in acres): 3

**SITE CONDITIONS:**

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt;50 ac</th>
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*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:**

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<th>If Known</th>
<th>If Unknown</th>
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<th>Question</th>
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<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 it would be used as habitat for birds protected by Migratory Bird Treaty?</td>
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<td>Is it would be used as habitat by other migratory birds that cross state lines?</td>
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<td>Is it would be used as habitat for endangered species?</td>
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<tr>
<td>Is it 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 Role 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 derive 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: SPACECUG, Inc.  
PROJECT LOCATION/WATERWAY: 3.7 acre Site at Flomsomo Road and Crawford Avenue in Flossmoor, Cook County, Illinois (Section 11, T55N, R13E).

FILE NUMBER: 2984-0762  
PROJECT REVIEW COMPLETED: Off Site Review

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

1. 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 and non-jurisdictional waters on the project site.

2. 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 water or other water of the U.S. (33 CFR 328.3(a)(2))
   - The presence of wetlands adjacent (i.e., bordering, contiguous, or neighboring) to navigable or other waters of the U.S. except for those wetlands adjacent to other wetlands. (33 CFR 328.3(a)(3))
   - The presence of navigable lakes, rivers, streams (including intermittent streams), swamps, mudflats, sloughs, ponds, and wetlands. (33 CFR 328.3(a)(5))

3. Other:
   - Section 10 wetway.

Information Reviewed:
- U.S. Fish and Wildlife Service National Wetland Inventory, HARVEY.
- U.S. Geological Survey Aquatic Habitat Project, HARVEY.
- USDA Natural Resources Conservation Service Soil Survey for Cook County.
- U.S. Geological Survey 15 Minute Historic Quadrangles.
- Aerial Photography (Name & Date) 1999 Aerial Photo.
- Advanced Identification Wetland Maps.
- Site Visit Conducted on: 20 May 2005.
- Other information:

Rationale for Basis (applies to any boxes checked above):
The wetlands on the property drain through a culvert on the northeast corner of the property to the north into a drainage ditch on the west side of Pilsbry. Water in the ditch flowed north through several yards and culverts, then east into a neighborhood, then north through a long stretch of culverts and ditches, then into a sanitary sewer, where it became unsuitable.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
- Ordinary High Water Mark indicated by:
  - Baseline
  - the presence of litter and debris
  - changes in the character of soil
  - wetland boundary
- Basis of Declining Jurisdiction:
  - Unlikely to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2) or 328.3(a)(3) through 328.3(a)(5)
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria

Confimration of Wetland Boundaries:
- The site consists of your wetland delineation report dated , prepared by
- This office does not confirm your wetland boundary.

Recommended by: ORIGINAL SIGNED

Date: 23 May 2004

Approved by:

Date:
### 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:** 2004000352  
**REGULATORY PROJECT MANAGER:** Steve Gagnon  
**DATE:** 27 May 2004

**PROJECT REVIEW/DETERMINATION COMPLETED:** In the office  
**DATE:** 25 May 2004

**PROJECT LOCATION INFORMATION:**  
**State:** Illinois  
**County:** Cook  
**Center coordinates of site by latitude & longitudinal coordinates:** 41-32-37.7858; 87-42-45.3484  
**Approximate size of site/property (including uplands & ir-areas):** 3.5  
**Name of waterway or watershed:** Little Calumet River Basin

### SITE CONDITIONS:

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<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
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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 Factories:

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

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to unincorporated, 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 nearby)
APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Brian Lochman PROJECT LOCATION/WATERWAY: 3 Acre property at the SW corner of 17th Street and Sherman Road in Zion, Lake County, Illinois (Section 15, T46N, R12E).

FILE NUMBER: 20504063 PROJECT REVIEW COMPLETED: [ ] Office [ ] Field

Approved Jurisdictional Determination (JD) (for sites regulated under 33 CFR 328-329). 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 in 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 or other water of the U.S. (33 CFR 328.3(a)(3))
[ ] The presence of wetlands adjacent (i.e., bordering, contiguous, or neighboring) to interstate or other waters of the U.S., except for those wetlands abutting 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:
[ ] 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: ZION, 1993:
[ ] U.S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U.S. Geological Survey 15 Minute Historic Quadrangles:
[ ] Aerials (Name & Date) Lake County 6th 2000:
[ ] Advanced Identification Wetland Maps:
[ ] Site Visit Conducted on: 21 May 2004:
[ ] Other information:

Rationale for Basis (supplies to any boxes checked above): Wetland drains from property into a storm sewer and becomes untraceable.

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
[ ] Altering
[ ] 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)(10)
[ ] 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)

Confimation of Wetland Boundaries
[ ] This office concurs with your wetland delineation report dated , prepared by
[ ] This office does not confirm your wetland boundary

Recommended by: [ ] ORIGINAL [ ] SIGNED ____________________________ Date:________________________

Approved by: ____________________________ Date: __________________________

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (57 Manual) (i.e., occurrence of hydrologic regime, 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 barriers, beach dunes, and the like are not adjacent.
**DIRECTIONS 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:** 20040643

**REGULATORY PROJECT MANAGER:** Steve Gagnon  
**Date:** 27 May 2004

**PROJECT REVIEW/DETERMINATION COMPLETED:** In the office  
**(Y/N) Date:** 21 May 2004

**PROJECT LOCATION INFORMATION:**  
- **State:** Illinois  
- **County:** Lake  
- **Lake:** 42°27'57.1992, 87°49'29.953  
- **Name of wetway or watershed:** Lake Michigan

**SITE CONDITIONS:**

<table>
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<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
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<td>Vernal pool</td>
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<td>Natural pond</td>
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</tr>
</tbody>
</table>

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

**Migratory Bird Rule Factors:**

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

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

**TYPE OF DETERMINATION:**

Preliminary [ ]  Or Approved [ ]

**ADDITIONAL INFORMATION SUPPORTING NJD:**

- 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: Clarke Real Estate and Harlow Avenue in Mount, Will County, Illinois
FILE NUMBER: 20040139
PROJECT LOCATION/WATERSWAY: Northeast of the Intersection of Draile Road and Harlow Avenue in Mount, Will County, Illinois
PROJECT REVIEW COMPLETED: Yes

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action (33 CFR 321.25).

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 theebb 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 U.S. (33 CFR 328.3(a)(3))
☐ The presence of wetlands adjacent (i.e., bordering, contiguous, or neighboring) to intermittent or other waters of the U.S. except for these wetlands adjacent to other wetlands. (33 CFR 328.3(a)(4))
☐ The presence of an isolated water (e.g., immature lakes, rivers, streams, including intermittent streams, mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waywater.

Information Reviewed:
☐ U.S. Fish and Wildlife Service National Wetland Inventory: FRANKFORT.
☐ Aerial (Name & Date): Morris, 2002
☐ Advanced Identification Wetland Maps:
☐ Site Visit Conducted on: May 4, 2004
☐ Other information:

Railroad for Basis (applies to any boxes checked above): Wetland A and Wetland D are isolated and therefore not jurisdictional. Wetland C is adjacent to Forked Creek. Wetland B and Wetland E are hydrologically connected to Forked Creek. Forked Creek flows into the Kishakuk River, a navigable river of the United States.

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

wetland boundary

Basis for Declining Jurisdiction:
☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is 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 10/31/03 prepared by
☐ This office does not confirm your wetland boundary

Recommended by: __________________________ Date: 2/5/04

Approved by: __________________________ Date: 2/5/04

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (SWAMP Manual) (i.e., reconnaissance of hydrophytic vegetation, hydrologic soils, and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from those 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 levee banks, breach dikes, and the like are nonadjacent.
APPLICANT: Intech Consultants
PROJECT LOCATION/WATERWAY: Northeast of the intersection of Burns 59 and 55th Street in Naperville, Will County, Illinois

FILE NUMBER: 200000476
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 330.2) 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 are 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)(10))
☐ The presence of interstate waters (including interstate wetlands). (33 CFR 328.3(a)(2))
☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3(a)(5))
☐ The presence of wetlands adjacent (borders, contiguous, or upland area) to interstate or other waters of the US; except for those wetlands adjacent to other wetlands. (33 CFR 328.3(a)(7))
☐ The presence of an isolated water (e.g., intermittent lakes, rivers, streams, including intermittent streams, mudflats, sandbars, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other
Section 13 watersway:
☐ Information Reviewed
☐ U.S. Fish and Wildlife Service National Wetland Inventory: NAPERVILLE.
☐ USDA Natural Resources Conservation Service Soil Survey for DuPage County.
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles:
☐ U.S. Geological Survey 15 Minute Historic Quadrangles:
☐ Aerial Photographs (Name & Date): NAPERVILLE, 2002.
☐ Advanced Identification Wetland Maps:
☐ Site Visit Conducted on:
☐ Other information:

rationales for Basis (apply to any boxes checked above): Wetland A and Wetland B are isolated and therefore not jurisdictional.

Lateral Extent of Jurisdiction (33 CFR 328 and 309):
☐ 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
☐ Submerging
☐ 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)(8)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria.
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria.
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of H4 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 (77 Manual), i.e., occurrence of hydric vegetation, hydric soils and wetland hydrology. Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (77 Manual).

2Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river channels, 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: 20040470
REGULATORY PROJECT MANAGER: Myra Cruz
Date: May 25, 2004

PROJECT REVIEWED/DETERMINATION COMPLETED: In the office (Y/N) Date: May 25, 2004
At the project site (Y/N) Date: 

PROJECT LOCATION INFORMATION:
State: Illinois
County: Will
Center coordinates of site by latitude & longitudinal coordinates: N 41 42 45.33 W 88 12 26.01
Approximate size of site/property (including uplands & in acres): Des Plaines River
Name of waterway or watershed: 

SITE CONDITIONS:

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<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>
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</tbody>
</table>

Check appropriate boxes for each 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 | Use Best Professional Judgment
---|---|---
Yes | No | Predicted To Occur | Not Expected to Occur | Not Able to Make Determination

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

Is or would it be used as habitat by other migratory birds that can enter state lines?

Is or would it be used as habitat for endangered species?

Is used to support crops sold in interstate commerce?

TYPE OF DETERMINATION:
Preliminary ❐ Or Approved ❐

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (as, paragraph 1 - site conditions; paragraphs 2-3 - reasonable used to determine NJD, including information reviewed to assess potential navigability or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):
APPLICANT: Palta Foods
PROJECT LOCATION/WATERWAY: Northeast of the intersection of Route 30 and
Cheyenne Road in Plainfield, Will County, Illinois
FILE NUMBER: 200400403
PROJECT REVIEW COMPLETED: Office Field
Approved Jurisdictional Determination (JD): (See Table 111 determined 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)(13))
☐ The presence of interstate waters (including interstate wetlands). (33 CFR 328.3(a)(7))
☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3(a)(5))
☐ The presence of wetlands adjacent to (bordering, contiguous, or neighboring) intrastate or offshore waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3(a)(7))
☐ The presence of all 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: NORMANTOWN.
☐ USDA Natural Resources Conservation Service Soil Survey for Will County.
☐ Aerials (Name & Date): Naperville, 2002.
☐ Advanced Identification Wetland Maps.
☐ Site Visit Conducted on: March 17, 2000.
☐ Other information:

Rationale for Basis (applicable to any boxes checked above): The two wetlands located on the project property are isolated and therefore not jurisdictional.

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)(3) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(5) (See Table 111)

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: May 6, 2004

Approved by: Date: May 6, 2004

3Wetlands are identified and delineated using the methods and criteria established in the Corp's Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corp's Wetland Delineation Manual (87 Manual).
4Wetlands separated from other waters of the U.S. by man-made dikes or barriers, artificial river banks, beach dunes, and the like are also.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District
**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:** 2004009430  
**REGULATORY PROJECT MANAGER:** Melyssa Cruz  
**Date:** May 25, 2004

**PROJECT REVIEW/DETERMINATION COMPLETED:**  
| In the office | (Y/N) | Date: | May 25, 2004 |
| At the project site | (Y/N) | Date: | May 25, 2004 |

**PROJECT LOCATION INFORMATION:**  
- **State:** Illinois  
- **County:**  
- **NGS Center Coordinates of site by latitude & longitudinal coordinates:** Lat 41-39-17.3223 Long 88-13-40.6465  
- **Approximate size of site property (including uplands & in acres):**  
- **Name of waterway or watershed:** Des Plaines

### SITE CONDITIONS:

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

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

### Migratory Bird Rule Factors:

<table>
<thead>
<tr>
<th>1/Known</th>
<th>2/Unknown</th>
<th>Use Best Professional Judgment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
<td>Predicted to Occur</td>
</tr>
</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  
- 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: Neumann Homes  PROJECT LOCATION/WATERWAY: Fox River Watershed
FILE NUMBER: 200409309  PROJECT REVIEW COMPLETED:  Ofce  Field

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

Based on available information:

☐ There are no waters on the project site.

☒ There are 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 adjacent1 (borders, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands (33 CFR 328.3 (a)(7))

☒ The presence of an isolated water (e.g., intermittent lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).

Other:

☐ Section 10 waterway.

Informing 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 Historic Quadrangles:

☐ Aerial Photographs (Name & Date): Date 2001.

☐ Advanced Identification Wetland Maps

Site Visit Conducted on: April 29, 2004 by Jaymee Hammet

Rationale for Basis (applies to any boxes checked above): Wetlands 1-8 do not have a current or demonstrable historic surface connection to a navigable water of the United States and are therefore not under the jurisdiction of the U.S. Army Corps of Engineers.

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

☐ clear, natural line impressed on the bank

☐ the presence of river and debris

☐ changes in the character of soils

☐ destruction of terrestrial vegetation

☐ subsiding

☐ other:

☐ wetland boundary

Basis for Declining Jurisdiction:

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

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

☒ Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria

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

Confirmation of Wetland Boundaries:

☐ This office concurs with your wetland delineation report dated prepared by

☐ This office does not confirm your wetland boundary.

Approved by: 5/19/04

1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (57 Manual) (i.e., occurrence of hydric plants, hydrology 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 dikes or embankments, natural river channels, beach dunes, and the like are also adjacent.
DISTRIBUTION 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

REGULATORY PROJECT MANAGER: Jamee Harms Date: May 14, 2004

PROJECT REVIEW/DESIGN COMPLETED: In the office Y (Y/N) Date: May 14, 2004 At the project site Y (Y/N) Date: April 29, 2004

PROJECT LOCATION INFORMATION:
- State: Illinois
- County: Kane
- Center coordinates of site by latitude & longitudinal coordinates: 41°44'52"00.75', Longitude: 88°26'56"26.16'
- Name of waterway or watershed: Fox River Watershed

SITE CONDITIONS:

<table>
<thead>
<tr>
<th>Type of aquatic resource²</th>
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<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt;50 ac</th>
<th>Linear feet</th>
<th>Unknown</th>
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<tbody>
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<td>Sump or sink</td>
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</table>

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

²Check appropriate boxes that best describe type of related, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors³:

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

³Check 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 □ Or Approved □

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 — site conditions; paragraphs 2-3 — rationale used to document NJD, including information reviewed to assess potential navigation or interstate confluence 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: Jacob & Hefer Associates, P.C. PROJECT LOCATION/WATERWAY: 10 Acre Site on Willis Avenue in Waukegan, Lake County, Illinois (Section 14, T43N, R1E).

FILE NUMBER: 200800104 PROJECT REVIEW COMPLETED: Office Field

Approved Jurisdictional Determination (JD): (For Sites regulated under 33 CFR 328-336). 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 328.4(a)(1)).
☐ The presence of intertide waters (including intertine 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 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, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 wetway

Information Reviewed:
☒ U.S. Fish and Wildlife Service National Wetland Inventory: ARLINGTON HEIGHTS.
☒ U.S. Geological Survey Hydrolologic Atlas: ________________
☒ USDA Natural Resources Conservation Service Soil Survey for Cook County: ________________
☒ U.S. Geological Survey 7.5 Minute Topographic Maps: ________________
☒ U.S. Geological Survey 15 Minute Historical Quadrangles: ________________
☒ Aerials (Name & Date) AirPhoto 1999
☒ Advanced Identification Wetland Maps: ________________
☒ Site Visit Conducted: 21 May 2004
☒ Other Information:

Rationale for Basis (appplies to any boxes checked above):
Wetland on the property that do not exhibit an apparent hydrologic connection to navigable waters

Lateral Extent of Jurisdiction (33 CFR 328 and 336):
☐ Ordinary High Water Mark indicated by:
☐ visible, natural line impressed on the bank
☐ presence of litter and debris
☐ change(s) 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 likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☒ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ POTWaters declared to be jurisdictional on the basis of 328.3(a)(3) (attach copy of HQ rationale)

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

Recommended by: ___________________________

Approved by: ___________________________
Date: 2 May 2004

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

2Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river terraces, rock dikes, and the like are also adjacent.
DIRECTION 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: 2006/003014

REGULATORY PROJECT MANAGER: Steve Stagno Date: 24 May 2004

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

PROJECT LOCATION INFORMATION:
State: Illinois
County: Cook
Center coordinates of site by latitude & longitudinal coordinates:
42.77-10.750; 87.55-15.2773
Approximate size of site/property (including uplands & in acres):
10
Name of waterway or watershed:
Des Plaines

SITE CONDITIONS:

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<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
<th>5-10 ac</th>
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<td>Other water (identify type)</td>
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<td>No</td>
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<td>Yes</td>
</tr>
</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 Rate Factors:

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<th>If Known</th>
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</tr>
<tr>
<td></td>
<td></td>
<td>Not Able to Make Determination</td>
</tr>
</tbody>
</table>

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rate 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. Andy Silver Gri
PROJECT LOCATION/WATERWAY: Fox River Watershed

FILE NUMBER: 286500097 PROJECT REVIEW COMPLETED: % Office Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 328-458). An approved JD is an appealable action (33 CFR 331.3)

Other information:
[ ] There are no wetlands on the project site.
[ ] There are wetlands adjacent to this project site.
[ ] There are wetlands on the project site.

Basis of Jurisdictional Determination:
[ ] The wetland is totally or partially within the U.S. (33 CFR 328.3(a)(1))
[ ] The presence of 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 waters which are subject to tidal influence (33 CFR 328.3(a)(2))

Information Reviewed:
[ ] U. S. Fish and Wildlife Service National Wetland Inventory
[ ] U. S. Geological Survey Hydrologic Atlas
[ ] USDA Natural Resources Conservation Service Soil Survey for Kane County, Illinois
[ ] Illinois Geological Survey 7.5 Minute Topographic Maps: GENEVA, 1993
[ ] Illinois Geological Survey 7.5 Minute Topographic Maps: GENEVA, 1995
[ ] Illinois Geological Survey 7.5 Minute Topographic Maps: GENEVA, 1997
[ ] Illinois Geological Survey 15 Minute Historic Quadrangles
[ ] Illinois Geological Survey 15 Minute Historic Quadrangles
[ ] Illinois Geological Survey 15 Minute Historic Quadrangles
[ ] Illinois Geological Survey 15 Minute Historic Quadrangles
[ ] Illinois Geological Survey 15 Minute Historic Quadrangles

Rationale for Basis (1 pp copied above):
The wetland on site is not a current or demonstrable historic surface connection to a navigable water of the United States and is therefore not under the jurisdiction of the Department of Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):
[ ] Ordinary High Water Mark indicated by:
[ ] clear, natural line impressed on the bank
[ ] obstruction to the stream
[ ] 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 on site (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 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]

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

Approved by:

1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (47 Manual), i.e., occurrence of hydric vegetation, hydric soils and wetland hydrology. Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (47 Manual).

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.
DISTRICT OFFICE: Chicago
FILE NUMBER: 200406597

REGULATORY PROJECT MANAGER: Janice Hammit
Date: May 13, 2004

PROJECT REVIEW/DETERMINATION COMPLETED:
In the office Y (Y/N) Date: May 13, 2004
At the project site Y (Y/N) Date: PDA 6 06.17.04 9

PROJECT LOCATION INFORMATION:
State: Illinois
County: Kane
Center coordinates of site by latitude & longitudinal coordinates:
22.53.3415, Longitude: 88-
Approximate size of site/property (including uplands & in acres):
Name of waterway or watershed:
Foss River Watershed

SITE CONDITIONS:

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

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

Migratory Bird Rule 

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: Mark Jancek
PROJECT LOCATION/WATERWAY: Embty to Nippersink Creek/McHenry County
FILE NUMBER: 200440053
PROJECT REVIEW COMPLETED: Office Field

Approved Jurisdictional Determination (JD) for sites regulated under 33 CFR 328.5-339. 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 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:

☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use in Interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide, e., navigable waters of the U.S. (33 CFR 328.3(1)(1)).
☐ The presence of intermittent water (including ephemeral wetlands). (33 CFR 328.3(a)(2))
☐ The presence of a tributary to an intermittent water or other water of the U.S. (33 CFR 328.3(a)(3)).
☐ The presence of wetlands adjacent to bordering, contiguous, or neighboring to intermittent or other waters of the U.S., except for those wetlands adjacent to other wetlands. (33 CFR 328.3(a)(7))
☐ The presence of an isolated water (e.g., intermittent lakes, rivers, streams (including intermittent streams), muddles, sandflats, wetlands, sloughs, prairie potholes, wet meadows, ponds, lakes, or natural ponds).
☐ Other:
☐ Section 10 Waterway.

Information Reviewed:
☐ U.S. Fish and Wildlife Service National Wetland Inventory.
☐ USDA National Resources Conservation Service Soil Survey for McHenry County.
☐ U.S. Geological Survey 7.5 Minute Historical Quadrangles: MCHenry, 1941.
☐ Aerial Photographs (Name & Date): 2002.
☐ Other Information...

Rationale for Basis (applicable to all boxes checked above): Wetlands W-1 and W-2 and waters of the U.S. W-2 are tributary to navigable waterway. W-1 and W-2 drain to W-2, which flows to Womack Lake. Womack Lake drains to Nippersink Creek, which drains to the Fox River, a navigable waterway. Wetlands W-4, W-5 and W-6 are isolated waters, not under 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 intersected on the bank
☐ the presence of aquatic plants
☐ changes in the character of soil
☐ erosion or terrestrial vegetation
☐ 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-1983 CWS Navigation Rule criteria.
☐ Area under consideration is not likely to have been jurisdictional under post-1983 CWS Navigation Rule criteria.
☐ Headquarters declined to approve jurisdiction based on the basis of 328.3(a)(10). (Attach copy of HQ rationale).

Confirmation of Wetland Boundaries:
☐ This office is in agreement 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 methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydro site, and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (87 Manual).

1 Wetlands appraised from other waters of the U.S. by one or more dike or barrier, natural river berms, beach dunes, and the like are also adjacent.
## INFORMATION SHEET
Determination of No Jurisdiction for Isolated, Non-Navigable, Intra-State Waters Resulting from U.S. Supreme Court Decision in Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers

**DISTRICT OFFICE:** Chicago  
**FILE NUMBER:** 200400283

**REGULATORY PROJECT MANAGER:** Kate Bliss  
**Date:** 3/9/04

**PROJECT REVIEW/DETERMINATION COMPLETED:**  
| State: | Illinois  
| County: | McHenry  
| Center coordinates of site by latitude & longitudinal coordinates: | 42.23-43.9350, 88.22-83.6700  
| Approximate size of site/property (including uplands & in acres): | 126  
| Name of waterway or watershed: | Nippersink Creek, Fox River

**SITE CONDITIONS:**

<table>
<thead>
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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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1. Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water/property and best estimate for size of msp.

### Migratory Bird Rule Factors:

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<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
<th>Use Best Professional Judgment</th>
<th>Not Expected To Occur</th>
<th>Not Able To Make Determination</th>
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<tr>
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<td>No</td>
<td>Predicted To Occur</td>
<td>Not Expected To Occur</td>
<td>Not Able To Make Determination</td>
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<td>Is it or would be used as habitat for birds protected by Migratory Bird Treaty?</td>
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<td>Is it or would be used as habitat by other migratory birds that cross state lines?</td>
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<td>Is it or would be used as habitat for endangered species?</td>
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<td>Is it or would be used to support wildlife (habitat) for migratory birds?</td>
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</table>

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

### TYPE OF DETERMINATION:

<table>
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<th>Preliminary</th>
<th>Or Approved</th>
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</table>

### 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: Harlem-Ridgefield L.L.C. PROJECT LOCATION/WATERWAY: Interchange of Ridgefield Avenue and Stask Trail in Richland Park, Cook County, Illinois (Section 29, R 31, T55N, R13E)

FILE NUMBER: 20940233

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 351.2)

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(c)(1))
☐ The presence of navigable waters (including maritime 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 (1) (borders, compasses, 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), mires, mudflats, sandflats, wetlands, marshes, prairie potholes, wet meadows, sloughs, or natural ponds).
☐ Other:

Section 10 waterway.

Information Reviewed:

☐ U.S. Fish and Wildlife Service National Wetland inventory
☐ U.S. Geological Survey Hydrologic Atlas
☐ USDA Natural Resources Conservation Service Soil Survey for Cook County
☐ U.S. Geological Survey 7.5 Minute Topographic Maps; FRANKFORT, 1990
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles
☐ U.S. Geological Survey 15 Minute Historic Quadrangles; PEOTONE, 1949
☐ Aerials (Name & Date)
☐ Advanced Identification Wetland Maps
☐ Site Visit Conducted on: March 30, 2004
☐ Other information:

Railway for Basis (applicable to any basis checked above): Wetland 2, Wetland 4, and Wetland 7 are referenced in your wetland delineation report, are considered jurisdictional due to their hydrologic surface connection to Hickey Creek, which drains into the Des Plaines River, a navigable waterway. Wetland 1 and Wetland 2 are considered isolated. In addition the unnamed farmed wetlands identified by the Natural Resources Conservation Service are also considered isolated.

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

☐ Ordinary High Water Mark indicated by:
☐ clear, natural flow, impounded on the bank
☐ delineation of terrestrial vegetation
☐ shearing
☐ changes in vegetation 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 not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule extensia
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) (attach copy of HQ estimate)

Confirmation of Wetland Boundaries
☐ This Office concurs with your wetland delineation report dated September 19, 2009, prepared by Christopher B. Bucke Engineering, Ltd.
☐ This office does not confirm your wetland boundary.

Recommended by: [Signature]

Date: [Date]

Approved by: [Signature]

Date: [Date]


2 Wetlands separated from other waters of the U.S. by man-made dikes in bogs, natural river berms, branch dikes and the like are also considered.
# 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:** 200403023

**REGULATION/PROJECT MANAGER:** Paul Joffer  
**DATE:** 14 Apr 2004

**PROJECT REVIEW/DETERMINATION COMPLETED:**  
**IN THE OFFICE:** (V/N)  
**DATE:** 14 Apr 2004  
**AS THE PROJECT SITE:** (V/N)  
**DATE:** 30 Mar 2004

**PROJECT LOCATION INFORMATION:**  
**STATE:** Illinois  
**COUNTY:** Cook  
**CENTER COORDINATES OF SITE BY LATITUDE AND LONGITUDE COORDINATES:** N37°46'53.75" W87°40'26.21"  
**APPROXIMATE SIZE OF SITE/PROPERTY (INCLUDING UPLANDS & IN AREAS):** 109 ac  
**NAME OF WATERWAY OR WATERBODY:** Des Plaines

**SITE CONDITIONS:**

<table>
<thead>
<tr>
<th>Type of aquatic resource</th>
<th>0-2 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
<th>5-10 ac</th>
<th>20-25 ac</th>
<th>25-50 ac</th>
<th>&gt;50 ac</th>
<th>Local</th>
<th>Unknown</th>
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<tr>
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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 site.*

**Migratory Bird Rule Factors:**

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<th>Yet</th>
<th>No</th>
<th>Known</th>
<th>Unknown</th>
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*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to non-jurisdictional, isolated, non-navigable, intra-state aquatic resource sites.*

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

**OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraph 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or intra-state commerce connections; and paragraph 4 – site information on waters of the U.S. necropsing ability.**
APPLICANT: Erikson Engineering PROJECT LOCATION/WATERWAY: St. Alexius Medical Center Property at 1555 Barrington Road in Hoffman Estates, Cook County, Illinois (Section 7, T41N, R1E6S)
FILE NUMBER: 200403875 PROJECT REVIEW COMPLETED: Other [Section 10 waterway]

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.

Basin of Jurisdiction 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 to (bordering, contiguous, or neighbor) 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), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, slacks, pools, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed:
☐ U.S. Fish and Wildlife Service National Wetland Inventory: STREAMWOOD.
☐ USDA Natural Resources Conservation Service Soil Survey for Cook County.
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles:
☐ Aerials (Name & Date) AirPhoto 1999
☐ Advanced Identification Wetland Maps
☐ Other information:

Rationale for Basis (applies to any boxes checked above):
Prairie Creek flows into the Fox River, a navigable water. Jurisdictional wetlands on the property are those that are directly adjacent to the creek. One cat tail wetland in the middle of the property does not appear to have a hydropic surface connection to Poplar Creek and is therefore not under 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
☐ the presence of litter and detritus
☐ changes in the character of soil
☐ wetland boundary

☐ destruction of terrestrial vegetation
☐ suffocation
☐ 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, Mitigation Bird Rule criteria.
☐ 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)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries:
☐ This office concord with your wetland delineation report dated 4 October 2004, prepared by V3 Consultants.
☐ This office at [date and signature] confirms your wetland boundary.

Recommended by: [signature and date]

Approved by: [signature and date]

1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (77 Manual) (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-moistened 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: 203400475

REGULATORY PROJECT MANAGER: Steve Gagnon
Date: 30 April 2004

PROJECT REVIEW/TERMINATION COMPLETED: In the office (Y/N) Date: As1 April 2002

PROJECT LOCATION INFORMATION:
State: Illinois
County: Cook
Center coordinates of site by latitude & longitudinal coordinates: 42.3-19.002; 88.8-30.4552
Approximate size of site/property (including uplands & in acres): 20
Name of waterway or watershed: Fox River Watershed

SITE CONDITIONS:

<table>
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<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 the type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Habitat Factors:

If Known
If Unknown
Use Best Professional Judgment

<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>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 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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<td>Isolated or isolated and in immediate confluence?</td>
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</table>

*Check appropriate boxes that best describe potential for applicability of the Migratory Bird Habitats 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):
**Determination of No Jurisdiction for Isolated, Non-Navigable, Intra-State Waters Resulting from U.S. Supreme Court Decision in Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers**

**District Office:** Chicago  
**File Number:** 20060001  
**Regulatory Project Manager:** Steve Gagnon  
**Date:** 30 April 2004

**Project Review/ Determination Completed:**  
In the office  
V/N Date: 30 April 2004

**Project Location Information:**  
State: Illinois  
Country: Cook  
Center coordinates of site by latitude & longitudinal coordinates: 41°46'26.4790" 87°53'10.2146"  
Approximate size of site/property (including uplands & in acres): 4.91  
Name of waterway or watershed: Des Plaines River Watershed

**Site Conditions:**

<table>
<thead>
<tr>
<th>Type of Aquatic Resource</th>
<th>0-1 ac</th>
<th>1.3 ac</th>
<th>3.5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt; 50 ac</th>
<th>Linear feet</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake</td>
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*Check appropriate boxes that best describe the type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

**Migratory Bird Rule Factors:**

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
<th>Use Best Professional Judgment</th>
<th>Not Able To Make Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
<td>Predicted / Occur</td>
<td>Not Expected / Occur</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; paragraph 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):**
APPLICANT: Henry & Associates PROJECT LOCATION/WATERSHED: 4.91 Acre Property East of Willow Springs Road and North of Adjacent Access to Lyttle Township, Cook County, Illinois Section 20, T30N, R8E.

FILE NUMBER: 20040505 PROJECT REVIEW COMPLETED: Office Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 328-330). An approved JD can be appealed under 33 CFR 331.2

Based on available information:

☒ There are no waters on the project site.

☒ There are non-jurisdictional waters on the project site.

☒ There are wetlands on the United States project site.

☒ There are both wetlands 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 contiguous but are not used in the past or may be susceptible to 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 328.4(a)(1)).

☒ The presence of intermittent waters (including intermittent wetlands). (33 CFR 328.3(a)(2))

☒ The presence of tributary to an intermittent water or other waters of the US. (33 CFR 328.3(a)(3))

☒ The presence of wetlands adjacent (bordering, contiguous, or neighboring) to intermittent or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3(a)(7))

☒ The presence of an isolated water (e.g., intrastate lakes, rivers, streams including intermittent streams), mudflats, sandbars, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds.

☒ Other:

☒ Section 14(watery).

Information Reviewed:

☒ U.S. Fish and Wildlife Service National Wetland Inventory: HINSDALE


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


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


☒ Aerial (Name & Date) AirPhoto 1999

☒ Advanced Identification Wetland Maps.

☒ Site Visit Conducted on: 22 April 2004

☒ Other information:

Rationale for Basis (applicable to any boxes checked above): Large wetland on property drained through a culvert under Willow Springs Road to the west into a drainage ditch. Flow in the ditch continued south for a couple blocks and entered a storm sewer system. It is believed that the water was flowed west in the storm sewer and eventually entered Flat Creek, but could not be confirmed. The small wetland on the property was isolated.

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

☒ Ordinary High Water Mark indicated by:

☒ clear, natural line imposed on the bank

☒ the presence of litter and debris

☒ changes in the character of soil

☒ wetland boundary

☒ Description of terrestrial vegetation

☒ Sheeting

☒ 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 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

☒ This office does not concur with your wetland boundary

Recommended by: _____________________________

Approved by: _____________________________

Date: _____________________________

Date: _____________________________

1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (37 Manual) (e.g., presence of hydric vegetation, hydrologic soil groups, 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 dikes or barriers, natural river berms, beach dunes, and the like are also subject.