
FILE NUMBER: LRC-2006-658  PROJECT REVIEW COMPLETED:  Office  Field

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

Based on available information:

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

Basis of Jurisdictional Determination:

☒ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands). (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., 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: MCHENRY.
☐ USDA National Resources Conservation Service Soil Survey for McHenry County
☒ U. S. Geological Survey 7.5 Minute Topographic Maps: MCHENRY, 1992
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles:
☒ U. S. Geological Survey 15 Minute Historic Quadrangles:
☐ Aerial Photographs (Name & Date): 2001, 2002, 2004
☒ Advanced Identification Wetland Maps: MCHENRY COUNTY.
☐ Site Visit Conducted on: April 28, 2006
☐ Other information:

Rationale for Basis (applies to any boxes checked above): Wetlands 1, 2 and 3 and Farmed Wetlands A, B and C are tributary to the Fox River, a navigable waterway under Department of the Army jurisdiction. Farmed Wetland D is isolated and not under Department of the Army jurisdiction.

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

Ordinary High Water Mark indicated by:

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

Basis for Declining Jurisdiction:

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

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

Confirmation of Wetland Boundaries

☒ This office concurs with your wetland delineation report dated January 31, 2006, prepared by Hey and Associates, Inc.
☐ This office does not confirm your wetland boundary

Recommended by: ___________________________ Date: 06/20/06

Approved by: ___________________________ Date: 06/20/06

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

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.
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: LRC-2006-658

REGULATORY PROJECT MANAGER: Kate Bliss Date: 6/20/06

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: 3/280/6

PROJECT LOCATION INFORMATION:
State: Illinois
County: McHenry
Center coordinates of site by latitude & longitudinal coordinates: 42.3713804366, -88.2829965339
Approximate size of site/property (including uplands & in acres): 222
Name of waterway or watershed: Fox River

SITE CONDITIONS:

<table>
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<tr>
<th>Type of aquatic resource</th>
<th>0-1 ac</th>
<th>1-3 ac</th>
<th>3-5 ac</th>
<th>5-10 ac</th>
<th>10-25 ac</th>
<th>25-50 ac</th>
<th>&gt; 50 ac</th>
<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 Use Best Professional Judgment</th>
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<tbody>
<tr>
<td>Yes</td>
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<td>Is or would be used as habitat for birds protected by Migratory Bird Treaties?</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>
<td>☒</td>
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<tr>
<td>Is used to irrigate crops sold in interstate commerce?</td>
<td>☒</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 ☐ 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: Lennar Communities of Chicago
PROJECT LOCATION/WATERWAY: West of the Intersection of Route 126 and Route 30 in Plainfield, Township, Will County, Illinois
FILE NUMBER: 200600362 (LRC-2006-14129)
PROJECT REVIEW COMPLETED: ☑ Office ☐ Field

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

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

Basis of Jurisdictional Determination:
☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate 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, 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: PLAINFIELD.
☐ USDA Natural Resources Conservation Service Soil Survey for Will County.
☐ U. S. Geological Survey 7.5-Minute Historic Quadrangles:
☐ U. S. Geological Survey 15-Minute Historic Quadrangles:
☐ Aerials (Name & Date): Plainfield, 1997
☐ Advanced Identification Wetland Maps:__________.
☐ Site Visit Conducted on:
☐ Other information:

Rationale for Basis (applies to any boxes checked above): Wetland 1 and the tributary to the DuPage River flow into the Des Plaines River and are therefore jurisdictional. However, Farm Wetland 1 is isolated and therefore not jurisdictional.

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

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

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

Recommended by: ____________________________ 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 hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.
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: 200600362 (LRC-2006-14129)

REGULATORY PROJECT MANAGER: Melyssa Navis  Date: 6 Jun 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 6 Jun 2006

PROJECT LOCATION INFORMATION:
State: Illinois
County: Will
Center coordinates of site by latitude & longitudinal coordinates: 41 36' 43.87 & 88 14' 57.42
Approximate size of site/property (including uplands & in acres):
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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<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 Rule Factors:

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown</th>
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<tbody>
<tr>
<td></td>
<td>Use Best Professional Judgment</td>
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<td>Yes</td>
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<tr>
<td>Is or would be used as habitat for birds protected by Migratory Bird Treaties?</td>
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<td>Is used to irrigate crops sold in interstate commerce?</td>
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</tbody>
</table>

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

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

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):
APPLICANT: Donven Homes  PROJECT LOCATION/WATERWAY: South Of First And Schultz Street In Lemont, Cook County, Illinois (Section 28, T37N, R11E)

FILE NUMBER: LRC-2006-13939  PROJECT REVIEW COMPLETED: □ Office  □ Field

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

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

Basis of Jurisdictional Determination:
☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands). (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., 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: __________.
☐ USDA Natural Resources Conservation Service Soil Survey for Cook County
☐ U. S. Geological Survey 7.5 Minute Topographic Maps: __________.
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: __________.
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: __________.
☐ Aerials (Name & Date): __________.
☐ Advanced Identification Wetland Maps: __________.
☐ Site Visit Conducted on: June 6, 2006
☐ Other information:

Rationale for Basis (applies to any boxes checked above):
Wetland A and Wetland B are under the jurisdiction of this office due to their hydrologic connection to the Calumet River, a navigable water. However Pond A and Pond B are considered isolated and are therefore not subject to the regulations 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 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 October 6, 2005, prepared by Phoenix Environmental, Inc.
☐ This office does not confirm your wetland boundary.

Recommended by: __________ Date: 6/6/06

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, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.
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: LRC-2006-13939

REGULATORY PROJECT MANAGER: Paul Leffler
Date: June 16, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: At the project site Y (Y/N) Date: June 6, 2006

PROJECT LOCATION INFORMATION:
State: Illinois
County: Lake
Center coordinates of site by latitude & longitudinal coordinates: 41.667322 -87.988044
Approximate size of site/property (including uplands & in acres): 30 ac
Name of waterway or watershed: Calumet River 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>
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1Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors:

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

TYPE OF DETERMINATION: Preliminary ☐ Or Approved ☒

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

APPLICANT: Planned Development & Construction, Inc. PROJECT LOCATION/WATERWAY: Plum Tree Golf Property off of Bunker Hill Road in Harvard, McHenry County, Illinois / North Branch Kishwaukee River

FILE NUMBER: 200600400 PROJECT REVIEW COMPLETED: Office Field

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

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

Basis of Jurisdictional Determination:

☐ There are no jurisdictional waters of the United States present on the project site.

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

☐ The presence of interstate waters (including interstate 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, 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 NORTH.
- USDA National Resources Conservation Service Soil Survey for McHenry County.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: __________.
- U. S. Geological Survey 15 Minute Historic Quadrangles: __________.
- Aerial Photographs (Name & Date):
- Advanced Identification Wetland Maps: MCHENRY COUNTY...
- Site Visit Conducted on: 02 May 2006
- Other information: January 26, 2006 Cowhey Gudmundson Leder, Ltd. wetland delineation report.

Rationale for Basis (applies to any boxes checked above): Wetlands H, L and U, as well as ponds A, B, C and D are connected to a tributary of the North Branch Kishwaukee River, which flows to the Kishwaukee River and finally into the Rock River, a navigable in-fact waterway. Wetlands A through G, I, N, O, P, S, T and V, as well as wetlands 1, 2 and 3 are isolated, and therefore non-jurisdictional.

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

shelving

other:

Basis for Declining Jurisdiction:

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

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

Confirmation of Wetland Boundaries
☒ This office concurs with your wetland delineation report dated January 26, 2006, with revised delineation dated May 31, 2006, prepared by Cowhey Gudmundson Leder, Ltd.
☐ This office does not confirm your wetland boundary

Recommended by: ___________________________ Date: 05/24/06

Approved by: ___________________________ Date: 05/24/06

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

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

DISTRIBUT OFFICE: Chicago
FILE NUMBER: 200600400
REGULATORY PROJECT MANAGER: Mike Machalek Date: 05 June 2006
PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 05 June 2006 At the project site Y (Y/N) Date: 02 May 2006
PROJECT LOCATION INFORMATION:
State: Illinois
County: McHenry
Approximate size of site/property (including uplands & in acres): 463 Acres
Name of waterway or watershed: North Branch Kishwaukee River

SITE CONDITIONS:

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

Migratory Bird Rule Factors1:

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

TYPE OF DETERMINATION: Preliminary ☐ Or Approved ☑

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):
APPLICANT: Lakes Region Sanitary District PROJECT LOCATION/WATERWAY: North of Molidor Road, West of Fish Lake Road and South of Nippersink Road (Sections 23 and 26, T45N, R9E)

FILE NUMBER: 200600384 PROJECT REVIEW COMPLETED: ☑ Office ☑ Field

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

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

Basis of Jurisdictional Determination:
☐ There are no jurisdictional waters of the United States present on the project site
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands) (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., 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: __________.
☐ 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: __________.
☒ Site Visit Conducted on: May 18, 2006
☐ Other information:

Rationale for Basis (applies to any boxes checked above): Wetlands 1-9 and 11, as referenced in your delineation report dated May 16, 2006 are under the jurisdiction of this office due to their hydrologic connection to the Fox River, a navigable water. Wetlands 10 and 12 are considered isolated and therefore not under the authority 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
☐ changes in the character of soil ☒ other
☒ wetland boundary

Basis for Declining Jurisdiction:
☒ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☒ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely 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 May 16, 2006, prepared by Hey and Associates, Inc.
☐ 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 hydrophytic vegetation, by diverse soils and wetland hydrology) Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

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

REGULATORY PROJECT MANAGER: Paul Leffler Date: June 29, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: June 29, 2006
(If/At the project site Date: May 18, 2006

PROJECT LOCATION INFORMATION:
State: Illinois
County: Lake
Center coordinates of site by latitude & longitudinal coordinates: 42.348811 88.144796
Approximate size of site/property (including uplands & in acres): 20 acres
Name of waterway or watershed: Fox River Watershed

SITE CONDITIONS:

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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 Factors1: If Known If Unknown Use Best Professional Judgment

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

TYPE OF DETERMINATION: Preliminary Or Approved

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

APPLICANT: Monarch PROJECT LOCATION/WATERWAY: Parcel known as the Mason Road property located south of Mason Road (and I-90) and west of Randall Road in unincorporated City of Elgin, Kane County, Illinois (N 1/2 of Section 31, T42N R8E)

FILE NUMBER: LRC-2006-456 PROJECT REVIEW COMPLETED: ☑ Office ☐ Field

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

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

Basis of Jurisdictional Determination:
☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☒ The presence of interstate waters (including interstate 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)(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, 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 Service Soil Survey for Kane County.
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles:
☐ Aerial Photographs (Name & Date): September 2004
☐ Advanced Identification Wetland Maps: KANE COUNTY
☐ Site Visit Conducted on:

Rationale for Basis (applies to any boxes checked above): The on-site wetland delineated by CBBEL does not have a surface water tributary system connection and is isolated. Therefore, the on-site wetland is 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 ☐ destruction of terrestrial vegetation
☐ the presence of litter and debris ☐ shelving
☐ changes in the character of soils ☐ other:
☐ wetland boundary

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

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

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

Recommended by: ___________________________ Date: 6/5/06

Approved by: ___________________________ Date: 7/2/06

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

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: LRC-2006-456

REGULATORY PROJECT MANAGER: Jaimee Hammit Date: 06/05/2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: 06/05/2006
At the project site (Y/N) Date:

PROJECT LOCATION INFORMATION:
State: Illinois
County: Kane
Center coordinates of site by latitude & longitudinal coordinates: Lat: 42.08, Lon: -88.34
Approximate size of site/property (including uplands & in acres): 40 acres
Name of waterway or watershed: Fox

SITE CONDITIONS:

<table>
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<tr>
<th>Type of aquatic resource(^1)</th>
<th>0-1 ac</th>
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<th>5-10 ac</th>
<th>10-25 ac</th>
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<th>&gt; 50 ac</th>
<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\(^1\):

<table>
<thead>
<tr>
<th>If Known</th>
<th>If Unknown Use Best Professional Judgment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
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<td>Is or would be used as habitat for birds protected by Migratory Bird Treaties?</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 ☐ 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: Nozel, Inc.  PROJECT LOCATION/WATERWAY: south of Wiesbrook Road, West of Orchard Road, Wheaton, DuPage County, II/Springbrook Creek

FILE NUMBER: LRC-2006-592  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:
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☒ The presence of interstate waters (including interstate wetlands). (33 CFR 328.3(a)(2))
☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3(a)(5))
☒ The presence of wetlands adjacent (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: NAPERVILLE.
☒ USDA Natural Resources Conservation Service Soil Survey for DuPage County.
☒ U. S. Geological Survey 7.5 Minute Historic Quadrangles: ________.
☒ U. S. Geological Survey 15 Minute Historic Quadrangles: ________.
☒ Aerial Photographs (Name & Date): ________.
☒ Advanced Identification Wetland Maps: DUPAGE COUNTY.
☒ Site Visit Conducted on: May 8, 2006 
☐ Other information:

Rationale for Basis (applies to any boxes checked above): The onsite wetland area appears to drain into a storm water sewer therefore it is an isolated, non-jurisdictional area.

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

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

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

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

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

Recommended by: __________________________  Date: 6-7-06

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, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.
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: LRC-2006-592

REGULATORY PROJECT MANAGER: Diedra Willis Date: June 2, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: June 2, 2006
At the project site (Y/N) Date: May 8, 2006

PROJECT LOCATION INFORMATION:
State: Illinois
County: DuPage
Center coordinates of site by latitude & longitudinal coordinates: 41-50-38.4217 & 88-7-52.5239
Approximate size of site/property (including uplands & in acres): 1.8 acres
Name of waterway or watershed: Springbrook Creek

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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</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>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>
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</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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</tbody>
</table>

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

TYPE OF DETERMINATION: Preliminary ☐ Or Approved ☑

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):
APPLICANT: Airhart Construction
PROJECT LOCATION/WATERWAY: South of St Charles Rd and West of Westgate Dr. in Winfield, DuPage County, Illinois/Klein Creek

FILE NUMBER: 20500465 PROJECT REVIEW COMPLETED: ☑ Office ☑ Field

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

Based on available information:
☐ There are no waters on the project site.
☒ There are 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 (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: WEST CHICAGO.
☐ USDA Natural Resources Conservation Service Soil Survey for DuPage County.
☐ U.S. Geological Survey 7.5 Minute Historic Quadrangles:
☐ U.S. Geological Survey 15 Minute Historic Quadrangles:
☐ Aerial Photographs (Name & Date):
☐ Advanced Identification Wetland Maps: DUPAGE COUNTY.
☐ Site Visit Conducted on: June 15, 2006
☐ Other information:

Rationale for Basis (applies to any boxes checked above): The wetland areas within the project site do not appear to have a hydrological connection to Klein Creek and are therefore non-jurisdictional waters of the U.S.

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

Basis for Declining Jurisdiction:
☒ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☒ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely has 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: 6-6-06

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, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.
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: 200500465

REGULATORY PROJECT MANAGER: Diedra Willis Date: June 16, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office At the project site Date: June 16, 2006

PROJECT LOCATION INFORMATION:
State: Illinois
County: DuPage
Center coordinates of site by latitude & longitudinal coordinates:
41-53-56.8972 & 88-7-48.7029
Approximate size of site/property (including uplands & in acres):
21.5
Name of waterway or watershed:
Klein Creek

SITE CONDITIONS:

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<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 Rule Factors:

<table>
<thead>
<tr>
<th>If Known</th>
<th>Predicted to Occur</th>
<th>Not Expected to Occur</th>
<th>Not Able To Make Determination</th>
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<tbody>
<tr>
<td>Yes</td>
<td>No</td>
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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: Prairie Holdings Corporation  PROJECT LOCATION/WATERWAY: Lake County

FILE NUMBER: LRC-2006-847  PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

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

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

Basis of Jurisdictional Determination:

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

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: __________.
☐ Aerials (Name & Date): 2004
☐ Advanced Identification Wetland Maps: LAKE COUNTY.
☐ Site Visit Conducted on: 4/20/2006
☐ Other information: Lake County Wetland Inventory

Rationale for Basis (applies to any boxes checked above): Wetlands 1 and 2 do not exhibit a surface water connection to a navigable waterway and are therefore not subject to Department of the Army regulations.

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

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

Basis for Declining Jurisdiction:

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

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

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

Recommended by: ___________________________  Date: 6/23/2006

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, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.
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: LRC-2006-847


PROJECT REVIEW/DETERMINATION COMPLETED:
In the office (Y/N) Date: (Y/N)
At the project site Date: 4/20/2006

PROJECT LOCATION INFORMATION:
State: Illinois
County: Lake
Center coordinates of site by latitude & longitudinal coordinates: 42.321699, -88.015876
Approximate size of site/property (including uplands & in acres): 2
Name of waterway or watershed: Des Plaines 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>
<th>25-50 ac</th>
<th>&gt; 50 ac</th>
<th>Linear feet</th>
<th>Unknown</th>
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<tr>
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Is or would be used as habitat for birds protected by Migratory Bird Treaties? ☐ ☐ ☒ ☐ ☐
Is or would be used as habitat by other migratory birds that cross state lines? ☐ ☐ ☒ ☐ ☐
Is or would be used as habitat for endangered species? ☐ ☐ ☐ ☐ ☐
Is used to irrigate crops sold in interstate commerce? ☐ ☐ ☐ ☐ ☐

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