

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Broch-Brodie Estate PROJECT LOCATION/WATERWAY: Southwest of Route 59 and 75th Street in Naperville, DuPage County, Illinois / Spring Brook Creek

FILE NUMBER: LRC-2007-286 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: NORMANTOWN.
 U. S. Geological Survey Hydrologic Atlas: NORMANTOWN, HA 210.
 USDA Natural Resources Conservation Service Soil Survey for DuPage County.
 U. S. Geological Survey 7.5 Minute Topographic Maps: NORMANTOWN, 1993.
 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:
 Site Visit Conducted on:
 Other information: July 20, 2006 Wetland Delineation Report by CBBEL; and March 13&14, 2007 letters.

Rationale for Basis (applies to any boxes checked above): There are no waters present on-site.

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 July 20, 2006, prepared by CBBEL.
 This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 6-4-07

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).

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.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Harlan Doland PROJECT LOCATION/WATERWAY: 187 Howard, Fox Lake, Illinois / Nippersink Lake

FILE NUMBER: LRC-207-316 PROJECT REVIEW COMPLETED: [X] 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.
[X] 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^1). (33 CFR 328.3 (a)(2))
[] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[] The presence of wetlands adjacent^2 (bordering, contiguous, or neighboring) to 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:
[X] Section 10 waterway.

Information Reviewed

- [] U. S. Fish and Wildlife Service National Wetland Inventory: _____
[X] U. S. Geological Survey Hydrologic Atlas: FOX LAKE, HA 151.
[] 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):
[X] Advanced Identification Wetland Maps: LAKE COUNTY.
[] Site Visit Conducted on:
[] Other information:

Rationale for Basis (applies to any boxes checked above): Nippersink Lake is part of the navigable in-fact Fox River Chain-O-Lakes system.

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

Ordinary High Water Mark indicated by:

- [] clear, natural line impressed on the bank
[X] 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 _____, prepared by _____
[X] This office does not confirm your wetland boundary

Recommended by: _____ Date: 6-9-07

Approved by: _____ Date: _____

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

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Sandbar Marina PROJECT LOCATION/WATERWAY: 40880 Douglas Avenue, Antioch, Illinois / Lake Marie

FILE NUMBER: LRC-2007-331 PROJECT REVIEW COMPLETED: [X] 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.
[X] 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^1). (33 CFR 328.3 (a)(2))
[] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[] The presence of wetlands adjacent^2 (bordering, contiguous, or neighboring) to 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:
[X] Section 10 waterway.

Information Reviewed

- [] U. S. Fish and Wildlife Service National Wetland Inventory:
[X] U. S. Geological Survey Hydrologic Atlas: FOX LAKE, HA 151.
[] 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:
[] Other information:

Rationale for Basis (applies to any boxes checked above): Lake Marie is part of the Fox River Chain-o-Lakes waterway, which is navigable in-fact.

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

Ordinary High Water Mark indicated by:

- [] clear, natural line impressed on the bank
[X] 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 , prepared by
[] This office does not confirm your wetland boundary

Recommended by: [Signature] Date: 6-4-07

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).

^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.

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

APPLICANT: Charles Schroeder PROJECT LOCATION/WATERWAY: Kane County

FILE NUMBER: LRC-2005-23105 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: HAMPSHIRE.
- U. S. Geological Survey Hydrologic Atlas: HAMPSHIRE, HA 459.
- USDA Natural Resources Conservation Service Soil Survey for Kane County.
- U. S. Geological Survey 7.5 Minute Topographic Maps: HAMPSHIRE, 1978.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- Aerial Photographs (Name & Date):1990, 1991, 1993, 1994, 1996, 1999, 2000, 2001, 2002, 2004
- Advanced Identification Wetland Maps: KANE COUNTY
- Site Visit Conducted on: 6/16/2005, 6/21/2005
- Other information: FEMA FIRM Map, NRCS Swampbuster Map

Rationale for Basis (applies to any boxes checked above): Wetland 1, Wetland 2, Wetland 3, Waters 1 (Hampshire Creek), and Waters 2 are all under Federal Jurisdiction. Hampshire Creek drains to Burlington Creek, Coon Creek, the Kishwaukee River, and the Rock River, a navigable waterway, and is therefore under 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 soils
- wetland boundary
- destruction of terrestrial vegetation
- shelving
- other:

Basis for Declining Jurisdiction:

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - Area under consideration is 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 March 9, 2007, prepared by Christopher B. Burke Engineering West, Ltd..
- This office does not confirm your wetland boundary.

Recommended by: _____ S _____ Date: 6-4-2007

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).

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.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Commonwealth Edison PROJECT LOCATION/WATERWAY: Over the Chicago Sanitary and Ship Canal East of Pulaski Road in the City of Chicago, Cook County, Illinois

FILE NUMBER: LRC-2007-41 PROJECT REVIEW COMPLETED: [X] 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.
[X] 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.
[X] 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^1). (33 CFR 328.3 (a)(2))
[] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[] The presence of wetlands adjacent^2 (bordering, contiguous, or neighboring) to 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:
[X] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: ENGLEWOOD.
[] U. S. Geological Survey Hydrologic Atlas:
[] USDA Natural Resources Conservation Service Soil Survey for Cook County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: ENGLEWOOD, 1993.
[] 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:
[] Other information:

Rationale for Basis (applies to any boxes checked above): The Project is adjacent to and above the Chicago Sanitary and Ship Canal which is a section 10 waterway.

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: -5 Date: 6-7-07

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).

^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.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Springside Condominiums PROJECT LOCATION/WATERWAY: Breasted Avenue, in the Village of Downers Grove, DuPage County, Illinois/Unnamed Tributary of Prentiss Creek

FILE NUMBER: LRC-2007-223 PROJECT REVIEW COMPLETED: [X] 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.
[X] 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))
[X] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[] The presence of wetlands adjacent^2 (bordering, contiguous, or neighboring) to 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

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: WHEATON.
[X] U. S. Geological Survey Hydrologic Atlas: WHEATON, HA 148.
[X] USDA Natural Resources Conservation Service Soil Survey for DuPage County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: WHEATON, 1993.
[] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[] U. S. Geological Survey 15 Minute Historic Quadrangles:
[] Aerial Photographs (Name & Date):
[X] Advanced Identification Wetland Maps: DUPAGE COUNTY..
[] Site Visit Conducted on:
[] Other information:

Rationale for Basis (applies to any boxes checked above): Prentiss Creek has a hydrological connection to the DuPage River which flows to the Des Plaines River which is a section 10 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
[] 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 , prepared by
[] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 6-7-07

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).

^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.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: George Reilly PROJECT LOCATION/WATERWAY: 188 Howard, Fox Lake, Lake County, Illinois / Nippersink Lake

FILE NUMBER: LRC-2007-317 PROJECT REVIEW COMPLETED: [X] 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.
[X] 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^1). (33 CFR 328.3 (a)(2))
[] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[] The presence of wetlands adjacent^2 (bordering, contiguous, or neighboring) to 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:
[X] Section 10 waterway.

Information Reviewed

- [] U. S. Fish and Wildlife Service National Wetland Inventory: _____
[X] U. S. Geological Survey Hydrologic Atlas: FOX LAKE, HA 151.
[] 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):
[X] Advanced Identification Wetland Maps: LAKE COUNTY.
[] Site Visit Conducted on:
[] Other information:

Rationale for Basis (applies to any boxes checked above): Nippersink Lake is part of the navigable in-fact Fox River Chain-O-Lakes waterway.

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

Ordinary High Water Mark indicated by:

- [] clear, natural line impressed on the bank
[X] 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 _____, prepared by _____
[X] This office does not confirm your wetland boundary

Recommended by: _____ Date: 6-12-07

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).

^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.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Muellner Construction, Inc. PROJECT LOCATION/WATERWAY: 7S459 Donwood Drive in Naperville, DuPage County, Illinois / East Branch DuPage River

FILE NUMBER: LRC-2007-319 PROJECT REVIEW COMPLETED: [X] 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.
[X] 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^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent^2 (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

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: WHEATON.
[X] U. S. Geological Survey Hydrologic Atlas: WHEATON, HA 148.
[X] USDA Natural Resources Conservation Service Soil Survey for DuPage County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: WHEATON, 1993.
[] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[] U. S. Geological Survey 15 Minute Historic Quadrangles:
[] Aerial Photographs (Name & Date):
[X] Advanced Identification Wetland Maps: DUPAGE COUNTY..
[] Site Visit Conducted on:
[X] Other information: March 23, 2007 Wetland Delineation Report by EnCAP, Inc.

Rationale for Basis (applies to any boxes checked above): The subject wetland is adjacent and contiguous with an unnamed tributary to the East Branch DuPage River, which flows to the Des Plaines River; the Des Plaines River is navigable below the Hoffman Dam in Riverside, Illinois.

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
[X] 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

- [X] This office concurs with your wetland delineation report dated March 23, 2007, prepared by EnCAP, Inc.
[] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 04 JUN 07

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).

^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.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Muellner Construction, Inc. PROJECT LOCATION/WATERWAY: 7S459 Donwood Drive in Naperville, DuPage County, Illinois / East Branch DuPage River

FILE NUMBER: LRC-2007-319 PROJECT REVIEW COMPLETED: [X] 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.
[X] 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^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent^2 (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

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: WHEATON.
[X] U. S. Geological Survey Hydrologic Atlas: WHEATON, HA 148.
[X] USDA Natural Resources Conservation Service Soil Survey for DuPage County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: WHEATON, 1993.
[] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[] U. S. Geological Survey 15 Minute Historic Quadrangles:
[] Aerial Photographs (Name & Date):
[X] Advanced Identification Wetland Maps: DUPAGE COUNTY..
[] Site Visit Conducted on:
[X] Other information: March 23, 2007 Wetland Delineation Report by EnCAP, Inc.

Rationale for Basis (applies to any boxes checked above): The subject wetland is adjacent and contiguous with an unnamed tributary to the East Branch DuPage River, which flows to the Des Plaines River; the Des Plaines River is navigable below the Hoffman Dam in Riverside, Illinois.

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
[X] 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

- [X] This office concurs with your wetland delineation report dated March 23, 2007, prepared by EnCAP, Inc.
[] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 04 JUN 07

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).

^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.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Borrelli Construction Company, Inc. PROJECT LOCATION/WATERWAY: Northeast corner of Arsenal Wilton Center Road and Walsh Road in Wilton Center, Will County, Illinois / Forked Creek
FILE NUMBER: LRC-2007-377 PROJECT REVIEW COMPLETED: [X] 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.
[X] 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^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent^2 (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

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: WILTON CENTER.
[X] U. S. Geological Survey Hydrologic Atlas: WILTON CENTER, 304.
[X] USDA Natural Resources Conservation Service Soil Survey for Will County.
[X] U. S. Geological Survey 7.5-Minute Topographic Maps: WILTON CENTER, 1990.
[] 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:
[X] Other information: January 26, 2007 Wetland Delineation Report by LRMG.

Rationale for Basis (applies to any boxes checked above): The subject property contains the West Branch Forked Creek with adjacent riverine wetlands. The West Branch Forked Creek flows to Forked Creek, which is a tributary of the Kankakee River, a navigable in-fact waterway.

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
[X] 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

- [X] This office concurs with your wetland delineation report dated January 26, 2007, prepared by LRMG.
[] This office does not confirm your wetland boundary

Recommended by: [Signature] Date: 04 JUN 07

Approved by: [Signature] Date: 04 JUN 07

^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).

^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.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Village of Crete PROJECT LOCATION/WATERWAY: Approximate 15 acre parcel south of Burville Road and west of Route 1 in Crete, Will County, Illinois / Deer Creek

FILE NUMBER: LRC-2007-260 PROJECT REVIEW COMPLETED: [X] 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.
[X] 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^1). (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))
[X] The presence of wetlands adjacent^2 (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

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: STEGER.
[X] U. S. Geological Survey Hydrologic Atlas: STEGER, 209.
[X] USDA Natural Resources Conservation Service Soil Survey for Will County.
[X] U. S. Geological Survey 7.5-Minute Topographic Maps: STEGER, 1990.
[] 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:
[X] Other information: March 26, 2007 Wetland Delineation Report by LRMG.

Rationale for Basis (applies to any boxes checked above): Wetlands A and B are adjacent to an off-site tributary of Deer Creek; Deer Creek flows into the Little Calumet River, a navigable in-fact waterway.

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
[X] 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

- [X] This office concurs with your wetland delineation report dated March 19, 2007, prepared by LRMG.
[] This office does not confirm your wetland boundary

Recommended by: [Signature] Date: 6-4-07

Approved by: [Signature] Date: 6-4-07

^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)

^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.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Dinos Meintams PROJECT LOCATION/WATERWAY: The +/-103 Acre Property at Gallagher Road and Kankakee Street in Manhattan, Will County, Illinois

FILE NUMBER: LRC-2007-184 PROJECT REVIEW COMPLETED: [X] Office [X] 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.
[X] 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^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent^2 (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

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: MANHATTAN.
[X] U. S. Geological Survey Hydrologic Atlas: MANHATTAN, 211.
[X] USDA Natural Resources Conservation Service Soil Survey for Will County.
[X] U. S. Geological Survey 7.5-Minute Topographic Maps: MANHATTAN, 1990.
U. S. Geological Survey 7.5-Minute Historic Quadrangles:
U. S. Geological Survey 15-Minute Historic Quadrangles:
Aerials (Name & Date):
Advanced Identification Wetland Maps:
[X] Site Visit Conducted on: November 1, 2006
[X] Other information: November 13, 2006 Wetland Delineation Report by LRMG.

Rationale for Basis (applies to any boxes checked above): The wetlands and their adjacent and contiguous tributaries flow directly to Prairie Creek; Prairie Creek flows into the Kankakee River, a navigable in-fact waterway.

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

- Ordinary High Water Mark indicated by:
clear, natural line impressed on the bank
[X] 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

- [X] This office concurs with your wetland delineation report dated November 13, 2006, prepared by LRMG.
This office does not confirm your wetland boundary

Recommended by: [Signature] Date: 6-4-07

Approved by: [Signature] Date: 6-4-07

^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).

^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.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Meadowview Crossing / Paul Williams PROJECT LOCATION/WATERWAY: Southwest corner of North Avenue and Prince Crossing Road in West Chicago, DuPage County, Illinois

FILE NUMBER: LRC-2007-54 PROJECT REVIEW COMPLETED: [X] 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.
[X] 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^1). (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))
[X] The presence of wetlands adjacent^2 (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

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: WEST CHICAGO.
[X] U. S. Geological Survey Hydrologic Atlas: WEST CHICAGO, HA 202.
[X] USDA Natural Resources Conservation Service Soil Survey for DuPage County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: WEST CHICAGO, 1993.
[] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[] U. S. Geological Survey 15 Minute Historic Quadrangles:
[] Aerial Photographs (Name & Date):
[X] Advanced Identification Wetland Maps: DUPAGE COUNTY..
[] Site Visit Conducted on:
[X] Other information: December 12, 2006 Wetland Delineation Report by EnCAP, Inc.; and a site visit by DuPage

Co. Department of Environmental Concerns.

Rationale for Basis (applies to any boxes checked above): The subject wetland is connected to a wetland system to the south which is adjacent and contiguous to a tributary of the West Branch DuPage River. The West Branch DuPage River flows into the DuPage River, which is a tributary of the Des Plaines River; the Des Plaines River is navigable below the Hoffman Dam in Riverside, Illinois.

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
[X] 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

- [X] This office concurs with your wetland delineation report dated December 12, 2006, prepared by EnCAP, Inc.
[] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 01 JUNE 07

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).

