

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Kalsi Construction PROJECT LOCATION/WATERWAY: North of North Avenue in the 900 Block on the West Side of North Princeton Avenue in the City of Villa Park, DuPage County, Illinois/Salt Creek

FILE NUMBER: LRC-2006-626 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^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:
 Section 10 waterway.

Information Reviewed

- U. S. Fish and Wildlife Service National Wetland Inventory: ELMHURST.
 U. S. Geological Survey Hydrologic Atlas: ELMHURST, HA 68.
 USDA Natural Resources Conservation Service Soil Survey for DuPage County.
 U. S. Geological Survey 7.5 Minute Topographic Maps: ELMHURST, 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: DUPAGE COUNTY..
 Site Visit Conducted on: August 2006
 Other information:

Rationale for Basis (applies to any boxes checked above): Wetland areas A and B are isolated and wetland C is jurisdictional because of a hydrological connection to Salt Creek.

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

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
 the presence of litter and debris
 changes in the character of soil
 wetland boundary
 destruction of 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: 10-6-06

Approved by: [Signature] Date: 10/6/06

^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).

^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.

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U.S. Army Corps of Engineers, Chicago District

APPLICANT: Kalsi Construction PROJECT LOCATION/WATERWAY: North of North Avenue in the 900 Block on the West Side of North Princeton Avenue in the City of Villa Park, DuPage County, Illinois/Salt Creek

FILE NUMBER: LRC-2006-626 PROJECT REVIEW COMPLETED: [] 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.
[] There are waters of the United States on the project site.
[X] 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 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))
[X] 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: ELMHURST.
[X] U. S. Geological Survey Hydrologic Atlas: ELMHURST, HA 68.
[X] USDA Natural Resources Conservation Service Soil Survey for DuPage County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: ELMHURST, 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..
[X] Site Visit Conducted on: August 2006
[] Other information:

Rationale for Basis (applies to any boxes checked above): Wetland areas A and B are isolated and wetland C is jurisdictional because of a hydrological connection to Salt Creek.

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

Ordinary High Water Mark indicated by:

- [] clear, natural line impressed on the bank
[] the presence of litter and debris
[] changes in the character of soil
[] wetland boundary
[] destruction of 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: 10-6-06

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: Rubloff Development Group PROJECT LOCATION/WATERWAY: Kane County

FILE NUMBER: LRC-2006-988 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: HUNTLEY.
- U. S. Geological Survey Hydrologic Atlas: HUNTLEY, HA 361.
- USDA Natural Resources Conservation Service Soil Survey for Kane County.
- U. S. Geological Survey 7.5 Minute Topographic Maps: HUNTLEY, 1992.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- U. S. Geological Survey 15 Minute Historic Quadrangles: ELGIN, 1929
- Aerial Photographs (Name & Date): 1993, 1995, 1996, 1997, 2002, 2003, 2004
- Advanced Identification Wetland Maps: KANE COUNTY
- Site Visit Conducted on:
- Other information: FEMA FIRM map

Rationale for Basis (applies to any boxes checked above): Area 1 and Area 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 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 _____, prepared by _____.
- This office does not confirm your wetland boundary.

Recommended by: _____ Date: 10-27-06

Approved by: _____ Date: 10-30-06

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).

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-2006-988

REGULATORY PROJECT MANAGER: Kimberly Fisher Date: 10/27/2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 10/27/2006
 At the project site (Y/N) Date:

PROJECT LOCATION INFORMATION:

State: Illinois
 County: Kane
 Center coordinates of site by latitude & longitudinal coordinates: 42.14779, -88.43086
 Approximate size of site/property (including uplands & in acres): 87
 Name of waterway or watershed: Kishwaukee

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>					
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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 ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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: Homer Tree Service PROJECT LOCATION/WATERWAY: Located North of the Intersection of 143rd Street and Archer Avenue in Homer Township, Will County, Illinois

FILE NUMBER: LRC-2006-703 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.
[] There are waters of the United States on the project site.
[X] 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: ROMEOVILLE.
[X] U. S. Geological Survey Hydrologic Atlas: ROMEOVILLE, 146.
[X] USDA Natural Resources Conservation Service Soil Survey for Will County.
[X] U. S. Geological Survey 7.5-Minute Topographic Maps: ROMEOVILLE, 1993.
[] U. S. Geological Survey 7.5-Minute Historic Quadrangles:
[] U. S. Geological Survey 15-Minute Historic Quadrangles:
[X] Aerials (Name & Date):Romeoville, 1997
[] Advanced Identification Wetland Maps:
[] Site Visit Conducted on:
[] Other information:

Rationale for Basis (applies to any boxes checked above): Wetland A is an intermittent tributary that drains into Long Run Creek. Wetland B is adjacent to the tributary and is therefore jurisdictional. Wetland C & D are isolated and therefore not jurisdictional. Long Run Creek drains into the Des Plaines River and is therefore 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
[X] wetland boundary
[] destruction of terrestrial vegetation
[] shelving
[] other:

Basis for Declining Jurisdiction:

- [X] 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)
[X] 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: [Signature] Date: 31 OCT 06

Approved by: [Signature] Date: 1 NOV 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).

^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-2006-703

REGULATORY PROJECT MANAGER: Melyssa Navis **Date:** 31 Oct 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date:
At the project site Y (Y/N) Date: 31 Oct 2006

PROJECT LOCATION INFORMATION:

State: Illinois
County: Will
Center coordinates of site by latitude & longitudinal coordinates: 41 37' 57.22 & 88 01' 21.05
Approximate size of site/property (including uplands & in acres):
Name of waterway or watershed:

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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 ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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: Ridge Property Trust PROJECT LOCATION/WATERWAY: Southwest of the Intersection of I-55 and Lorenzo Road in Wilmington, Will County, Illinois

FILE NUMBER: LRC-2006-1199 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: WILMINGTON.
[X] U. S. Geological Survey Hydrologic Atlas: WILMINGTON, 306.
[X] USDA Natural Resources Conservation Service Soil Survey for Will County.
[X] U. S. Geological Survey 7.5-Minute Topographic Maps: WILMINGTON, 1993.
U. S. Geological Survey 7.5-Minute Historic Quadrangles:
U. S. Geological Survey 15-Minute Historic Quadrangles:
[X] Aerials (Name & Date):Wilmington, 1997
Advanced Identification Wetland Maps:
[X] Site Visit Conducted on: October 4, 2006
Other information:

Rationale for Basis (applies to any boxes checked above): The farmed wetland is hydrologically connected to the wetland immediately adjacent to it. This wetland complex then drains into a tributary that flows into the Kankakee River, a navigable waters of the U.S. The wetland on the northeastern edge of the parcel 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
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

- This office concurs with your wetland delineation report dated , prepared by
This office does not confirm your wetland boundary

Recommended by: [Signature] Date: 31 OCT 06

Approved by: [Signature] Date: 1 NOV 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).

^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-2006-1199

REGULATORY PROJECT MANAGER: Melyssa Navis Date: 31 Oct 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date:
 At the project site Y (Y/N) Date: 31 Oct 2006

PROJECT LOCATION INFORMATION:

State: Illinois
 County: Will
 Center coordinates of site by latitude & longitudinal coordinates: 41 20' 31.67 & 88 11' 33.53
 Approximate size of site/property (including uplands & in acres):
 Name of waterway or watershed:

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>					

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 ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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):

**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-2006-940

REGULATORY PROJECT MANAGER: Melyssa Navis Date: 31 Oct 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date:
 At the project site Y (Y/N) Date: 31 Oct 2006

PROJECT LOCATION INFORMATION:

State: Illinois
 County: Will
 Center coordinates of site by latitude & longitudinal coordinates: 41 35' 10.19 & 88 00' 8.63
 Approximate size of site/property (including uplands & in acres):
 Name of waterway or watershed:

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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 ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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: Andrew George PROJECT LOCATION/WATERWAY: Northwest of the Intersection of Pauling Road and Anna Lane in Monee Township, Will County, Illinois

FILE NUMBER: LRC-2006-1166 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:

- [X] 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^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:
[] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: FRANKFORT.
[X] U. S. Geological Survey Hydrologic Atlas: FRANKFORT, 231.
[X] USDA Natural Resources Conservation Service Soil Survey for Will 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:
[X] Aerials (Name & Date):Monee Twp, 1997
[] Advanced Identification Wetland Maps:
[] Site Visit Conducted on:
[] Other information:

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

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

Ordinary High Water Mark indicated by:

- [] 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:

- [X] 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
[X] 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: 31 OCT 06

Approved by: [Signature] Date: 1 NOV 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).

^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: Aetna Development PROJECT LOCATION/WATERWAY: South of 191st Street and West of Harlem Avenue in Unincorporated Will County, Illinois

FILE NUMBER: LRC-2006-832 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.
[X] 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^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:
[] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: TINLEY PARK.
[X] U. S. Geological Survey Hydrologic Atlas: TINLEY PARK, 152.
[X] USDA Natural Resources Conservation Service Soil Survey for Will County.
[X] U. S. Geological Survey 7.5-Minute Topographic Maps: TINLEY PARK, 1993.
[] U. S. Geological Survey 7.5-Minute Historic Quadrangles:
[] U. S. Geological Survey 15-Minute Historic Quadrangles:
[X] Aerials (Name & Date):Tinley Park, 1997
[] Advanced Identification Wetland Maps:
[] Site Visit Conducted on:
[] Other information:

Rationale for Basis (applies to any boxes checked above): The Wetland located on the subject property 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
[] the presence of litter and debris
[] changes in the character of soil
[] wetland boundary
[] destruction of terrestrial vegetation
[] shelving
[] other:

Basis for Declining Jurisdiction:

- [X] 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)
[X] 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: 3/6/06

Approved by: [Signature] Date: 1 Nov 08

^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.

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-2006-832

REGULATORY PROJECT MANAGER: Melyssa Navis Date: 31 Oct 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date:
 At the project site Y (Y/N) Date: 31 Oct 2006

PROJECT LOCATION INFORMATION:

State: Illinois
 County: Will
 Center coordinates of site by latitude & longitudinal coordinates: 41 32' 33.22 & 88 47' 34.05
 Approximate size of site/property (including uplands & in acres):
 Name of waterway or watershed:

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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 ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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: Cook County Highway Department PROJECT LOCATION/WATERWAY: Quentin Road between Dundee and Lake Cook Roads in Palatine, Cook County, Illinois

FILE NUMBER: 200600478 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^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:
 Section 10 waterway.

Information Reviewed

- U. S. Fish and Wildlife Service National Wetland Inventory: LAKE ZURICH.
 U. S. Geological Survey Hydrologic Atlas: LAKE ZURICH, HA 208.
 USDA Natural Resources Conservation Service Soil Survey for Cook County.
 U. S. Geological Survey 7.5 Minute Topographic Maps: LAKE ZURICH, 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: May 1, 2006
 Other information:

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

AES Wetlands 1, 2, 5, and 7 and Sites 1, 2, 4, 5, and 7 are jurisdictional due to a hydrologic connection to the Arlington Heights Branch of Salt Creek Sites 3 and 6 are isolated depressions not under the jurisdiction of this office.

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

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
 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 September 2005, prepared by Huff & Huff.
 This office does not confirm your wetland boundary.

Recommended by: - S - Date: 10/26/06

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.

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: 200600478

REGULATORY PROJECT MANAGER: Kathy Chernich Date: October 25, 2006

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

PROJECT LOCATION INFORMATION:

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

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type) drainageways	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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 ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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: Anthony Jayne PROJECT LOCATION/WATERWAY: McHenry County

FILE NUMBER: LRC-2006-908 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: WOODSTOCK.
- U. S. Geological Survey Hydrologic Atlas: WOODSTOCK, HA 256.
- USDA National Resources Conservation Service Soil Survey for McHenry 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: _____.
- Aerial Photographs (Name & Date):
- Advanced Identification Wetland Maps: MCHENRY COUNTY..
- Site Visit Conducted on: August 1, 2006
- Other information:

Rationale for Basis (applies to any boxes checked above): The wetland on the subject property does not exhibit a surface water connection to a navigable waterway and is therefore not regulated by the Department of the Army.

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

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- 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: _____ Date: 10/13/06

Approved by: _____ Date: 1-10-08

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.

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-2006-908

REGULATORY PROJECT MANAGER: Kate Bliss Date: 10/13/06

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date:
 At the project site Y (Y/N) Date: 8/1/06

PROJECT LOCATION INFORMATION:

State: Illinois
 County: McHenry
 Center coordinates of site by latitude & longitudinal coordinates: 42.2688231585,-88.429662911
 Approximate size of site/property (including uplands & in acres): 5
 Name of waterway or watershed: Kishwaukee

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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 ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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: B&B Enterprises PROJECT LOCATION/WATERWAY: Burlington Road, Engel Road and the Central and Pacific Railroad in Burlington, Kane County, Illinois

FILE NUMBER: 200300184 PROJECT REVIEW COMPLETED: [] 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.
[] There are waters of the United States on the project site.
[X] 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: HAMPSHIRE.
[X] U. S. Geological Survey Hydrologic Atlas: HAMPSHIRE, HA 459.
[X] USDA Natural Resources Conservation Service Soil Survey for Kane County.
[X] 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):
[] Advanced Identification Wetland Maps:
[] Site Visit Conducted on:
[] Other information:

Rationale for Basis (applies to any boxes checked above): Burlington Creek (Waters of the U.S. #1) and associated Wetlands 1, 2, 3 and 4 and Farmed Wetlands 3 and 5 are under the jurisdictional of this office. Farmed Wetlands 1, 2, and 4 are isolated depressions and not under the jurisdiction of this office.

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

- Ordinary High Water Mark indicated by:
[X] clear, natural line impressed on the bank
[] the presence of litter and debris
[X] changes in the character of soils
[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)
[X] 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 May 8, 2001, revised December 2, 2002 , prepared by CBBEL.
[X] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 10/12/06

Approved by: [Signature] Date: 10/16/06

^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).

^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: 200300184

REGULATORY PROJECT MANAGER: Kathy Chernich **Date:** 10/12/2006

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

PROJECT LOCATION INFORMATION:

State: Illinois
County: Kane
Center coordinates of site by latitude & longitudinal coordinates: Northing: 4637400
Approximate size of site/property (including uplands & in acres): Easting: 370600
Name of waterway or watershed: Kishwaukee River

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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 ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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: Stephen Goldman PROJECT LOCATION/WATERWAY: McHenry County

FILE NUMBER: LRC-2006-707 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: MCHENRY.
- U. S. Geological Survey Hydrologic Atlas: _____.
- USDA National Resources Conservation Service Soil Survey for McHenry County.
- U. S. Geological Survey 7.5 Minute Topographic Maps: MCHENRY, 1992.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- Aerial Photographs (Name & Date): 2005
- Advanced Identification Wetland Maps: MCHENRY COUNTY..
- Site Visit Conducted on:
- Other information:

Rationale for Basis (applies to any boxes checked above): The wetlands on the subject property do not exhibit a surface water connection to a navigable waterway, therefore, the wetlands are not regulated by the Department of the Army.

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

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- 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: _____ Date: 10/11/06

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.

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-2006-707

REGULATORY PROJECT MANAGER: Kate Bliss Date: 10/11/06

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date:
 At the project site Y (Y/N) Date: 7/12/06

PROJECT LOCATION INFORMATION:

State: Illinois
 County: McHenry
 Center coordinates of site by latitude & longitudinal coordinates:
 Approximate size of site/property (including uplands & in acres): 300
 Name of waterway or watershed: Fox

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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 ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

OPITIONAL 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: Jim Saylor PROJECT LOCATION/WATERWAY: McHenry County

FILE NUMBER: LRC-2006-834 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^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:
 Section 10 waterway.

Information Reviewed

- U. S. Fish and Wildlife Service National Wetland Inventory: WAUCONDA.
 U. S. Geological Survey Hydrologic Atlas: WAUCONDA, HA 207.
 USDA National Resources Conservation Service Soil Survey for McHenry County.
 U. S. Geological Survey 7.5 Minute Topographic Maps: WAUCONDA, 1993.
 U. S. Geological Survey 7.5 Minute Historic Quadrangles:
 U. S. Geological Survey 15 Minute Historic Quadrangles:
 Aerial Photographs (Name & Date): 2005
 Advanced Identification Wetland Maps: MCHENRY COUNTY..
 Site Visit Conducted on: 7/12/06
 Other information:

Rationale for Basis (applies to any boxes checked above): The wetland on the subject property does not exhibit a surface water connection to a navigable waterway and is therefore not regulated by the Department of the Army.

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

- Ordinary High Water Mark indicated by:
 clear, natural line impressed on the bank
 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: _____ Date: 10/2/06

Approved by: _____ Date: 10/6/06

^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).

^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.

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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-2006-834

REGULATORY PROJECT MANAGER: Kate Bliss **Date:** 10/2/06

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date:
At the project site Y (Y/N) Date: 7/12/06

PROJECT LOCATION INFORMATION:

State: Illinois
County: McHenry
Center coordinates of site by latitude & longitudinal coordinates: 42.3665200069,-88.233718515
Approximate size of site/property (including uplands & in acres): 100
Name of waterway or watershed: Fox

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
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Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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 ¹ :	If Known		If Unknown Use Best Professional Judgment		
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Is or would be used as habitat by other migratory birds that cross state lines?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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):