



U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE

**I. ADMINISTRATIVE INFORMATION**

Completion Date of Approved Jurisdictional Determination (AJD): 29-JAN-2021

ORM Number: MVR-2020-01788-WF

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State/Territory: IL City: Minooka County/Parish/Borough: Grundy County

Center Coordinates of Review Area: Latitude 41.430172 Longitude -88.305935

**II. FINDINGS**

**A. Summary:** Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in section II.D).

**B. Rivers and Harbors Act of 1899 Section 10 (§ 10)<sup>2</sup>**

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A	N/A	N/A	N/A

**C. Clean Water Act Section 404**

Territorial Seas and Traditional Navigable Waters ((a)(1) waters)<sup>3</sup>

(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A	N/A	N/A	N/A

Tributaries ((a)(2) waters):

(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A	N/A	N/A	N/A

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):

(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A	N/A	N/A	N/A

Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A	N/A	N/A	N/A

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide or included on the District’s list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

<sup>3</sup> A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

<sup>4</sup> Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

<sup>5</sup> Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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**D. Excluded Waters or Features**

Excluded waters ((b)(1) – (b)(12))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Area 1	0.07 acres	(b)(1) Non-adjacent wetland	The wetland is present on an excluded feature therefore, it is non-jurisdictional.
Area 2	0.23 acres	(b)(1) Non-adjacent wetland	The wetland is present on an excluded feature therefore, it is non-jurisdictional.
Area 3	0.03 acres	(b)(1) Non-adjacent wetland	The wetland is present on an excluded feature therefore, it is non-jurisdictional.
Area 4	0.15 acres	(b)(1) Non-adjacent wetland	The wetland is present on an excluded feature therefore, it is non-jurisdictional.
Area 5	12663 feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1)	The ditch is non-jurisdiction because it was created in an upland and is not a relocated tributary.
Area 6A	3400 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream indicators missing from USGS maps (blue line) and National Wetland Inventory. Stream contains water only in response to rainfall events, on site photos show dry swale in farm field.
Area 6B	950 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream indicators missing from USGS maps (blue line) and National Wetland Inventory. Stream contains water only in response to rainfall events, on site photos show dry swale in farm field.
Area 6C	2877 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream indicators missing from USGS maps (blue line) and National Wetland Inventory. Stream contains water only in response to rainfall events, on site photos show dry swale in farm field.
Area 6D	2200 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream indicators missing from USGS maps (blue line) and National Wetland Inventory. Stream contains water only in response to rainfall events, on site photos show dry swale in farm field.

**III. SUPPORTING INFORMATION**

**A. Select/enter all resources** that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

Information submitted by, or on behalf of, the applicant/consultant: *Wetland Delineation and Assessment Report by V3 Companies on December 3, 2020. The water resources map attached to this AJD shows the non-regulated features.*

This information (*is/is not/is and is not*) sufficient for purposes of this AJD.

Rationale: *N/A or describe rationale for insufficiency (including partial insufficiency).*

Data sheets prepared by the Corps: *Title(s) and/or date(s).*

Photographs: *On-site photos taken by V3 Companies on November 10, 2020. Aerial Photos viewed on Google Earth from April 4, 2017.*

Corps Site visit(s) conducted on: *Date(s).*

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<sup>5</sup> Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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- \_\_\_ Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s)*.  
\_\_\_ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*  
 USDA NRCS Soil Survey: *Wetland Delineation and Assessment Report by V3 Companies on December 3, 2020 Figure 6 Soil Survey Map.*  
 USFWS NWI maps: *Wetland Delineation and Assessment Report by V3 Companies on December 3, 2020 Figure 2 NWI Map*  
 USGS topographic maps: *Minooka USGS Map 2018.*

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** N/A  
**C. Additional comments to support AJD:** N/A

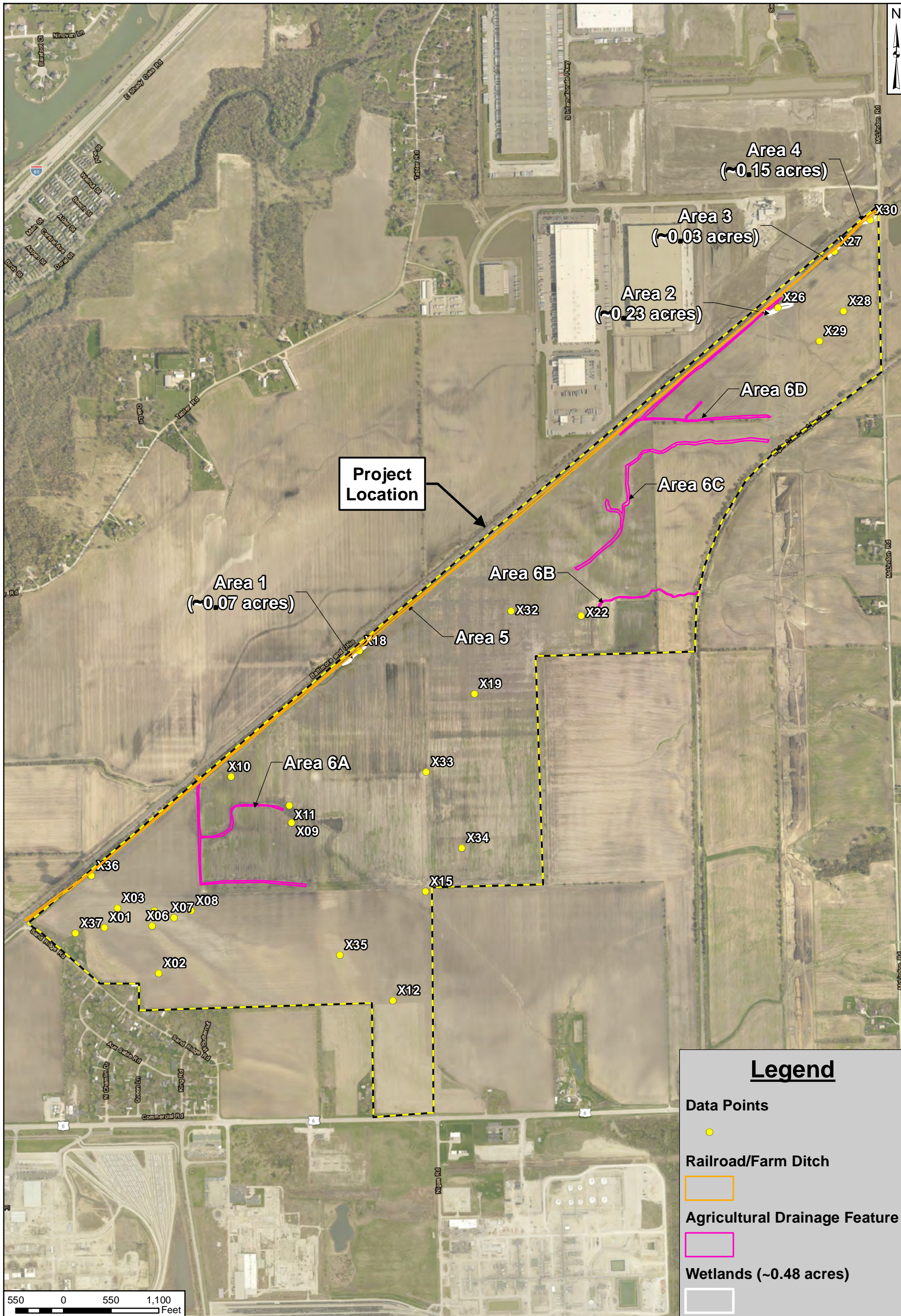
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 "The Vision To Transform With Excellence"

PROJECT NO.:	18149.1
CREATED BY:	AMM
DATE:	01/25/2021
SCALE:	See Scale Bar

CLIENT:	Molto Properties, LLC One Lincoln Centre 18W140 Butterfield Rd, Ste 700 Oakbrook Terrace, Illinois 60181
BASE LAYER:	Will County Aerial Imagery (2019)

TITLE:	<b>WETLAND DELINEATION MAP</b>	
SITE:	MOLTO Multimodal Industrial Park Minooka and Channahon, Illinois	
FIGURE:	7	