



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): 15-SEP-2020

ORM Number: MVR-2019-0394

Associated JDs: N/A

Review Area Location:

State/Territory: IL City: Atkinson County/Parish/Borough: Henry County

Center Coordinates of Review Area: Latitude 41.407531 Longitude -89.996663

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)²

§ 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)³

(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
OWF-B-1	13.17 acres 3,103 linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Tributary is shown on historical aerial photography (1938) before the area was altered. Perennial flow has continued through the feature after alteration.

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):

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³ 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.

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⁵ 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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(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
WTL-B-1	1.1 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland abuts OWF-B-1, an (a)(2) water.
WTL-B-2	0.04 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland abuts OWF-B-1, an (a)(2) water.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
OWF-A-1	0.58 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-A-2	1.04 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-A-3	0.27 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-A-4	0.25 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-A-5	0.09 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-A-6	0.01 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-A-7	0.22 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	

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OWF-A-8	0.15 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-A-9	0.1 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-B-10	0.15 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-B-2	0.33 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-B-3	0.48 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-B-4	0.01 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-B-5	0.03 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-B-6	0.43 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-B-7	0.44 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by	

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		flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-B-8	0.04 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
OWF-B-9	0.04 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
STR-A-1	871 feet	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	
WTL-A-1	0.16 acres	(b)(1) Non-adjacent wetland	
WTL-B-3	0.1 acres	(b)(1) Non-adjacent wetland	
WTL-B-4	0.3 acres	(b)(1) Non-adjacent wetland	

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*.
This information is sufficient for purposes of this AJD.
- ☐ Data sheets prepared by the Corps: *Title(s) and/or date(s)*.
- ☒ Photographs: *(NA, aerial, other, aerial and other) 1938 Aerial showing original stream location*
- ☐ Corps Site visit(s) conducted on: *Date(s)*.
- ☐ 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: *Web Soil Survey*
- ☒ USFWS NWI maps: *NWI Map*
- ☒ USGS topographic maps: *Quad Map*

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.

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- B. Typical year assessment(s):** APT was utilized to determine typical year.
- C. Additional comments to support AJD:** Aerial photography from 1938 shows an original stream that goes through the property where the strip mining alteration occurred.

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Document Path: \\SVR-STL\GIS\Projects\2019\193-553-01\Map\193-553-01_FIG6_DELINEATION_MXD.mxd



REFERENCE

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community IMAGE DATE: 7/2014

LEGEND

- | | |
|---------------------|--------------------------|
| STUDY AREA | WETLAND SAMPLE POINT |
| OPEN WATER FEATURE | MANMADE DRAINAGE FEATURE |
| EMERGENT WETLAND | MANMADE RETENTION BASIN |
| INTERMITTENT STREAM | PHOTO LOCATION |



Civil & Environmental Consultants, Inc.

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ECOLOGY SOLUTIONS, LLC
ECO HILL
ATKINSON, ILLINOIS

WETLAND AND STREAM DELINEATION

DRAWN BY: KLA	CHECKED BY: SJM	APPROVED BY: DAM*	FIGURE NO: 6
DATE: 7/31/2019	SCALE: 1" = 250	PROJECT NO: 193-553	



REFERENCE

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

U.S. Geological Survey, 2013, National Hydrography Geodatabase. The National Map viewer available on the World Wide Web <https://viewer.nationalmap.gov/viewer/nhd.html?p=nhd>, accessed 7/25/18

LEGEND

- | | |
|-------------------|-----------------|
| FACILITY BOUNDARY | NHD FLOWLINE |
| NHD WATERBODY | ARTIFICIAL PATH |
| LAKE/POND | CANAL/DITCH |
| | STREAM/RIVER |



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555 Butterfield Road, Suite 300 - Lombard, IL 60148

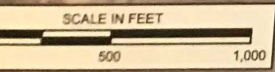
630-963-6026 • 877-963-6026

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
ATKINSON LANDFILL
ATKINSON, ILLINOIS

NATIONAL HYDROGRAPHY DATASET MAP
WITH PHOTO LOCATIONS

DRAWN BY:	KLA	CHECKED BY:	DAM	APPROVED BY:	JEH*	FIGURE NO.	3
DATE:	3/18/2019	SCALE:	1" = 1,050'	PROJECT NO:	181-128		



REFERENCE
AERIAL IMAGERY: 1938 AERIAL IMAGE,
clearinghouse.isgs.illinois.edu/webdocs/ilhap
/j_henry.html

LEGEND
 STUDY AREA



Civil & Environmental Consultants, Inc.
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ECOLOGY SOLUTIONS, LLC
ECO HILL
ATKINSON, ILLINOIS

1938 AERIAL IMAGERY

DRAWN BY:	KLA	CHECKED BY:	SJM	APPROVED BY:	DAM*	FIGURE NO:	2
DATE:	7/31/2019	SCALE:	1" = 500'	PROJECT NO:	193-553		