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): 14-APR-2021
ORM Number: CEMVR-RD-2020-1640, John Deere North American Parts Distribution Centers.
Associated JDs: N/A or ORM numbers and identifiers (CEMVR-OD-P-2017-776)
Review Area Location[1]: 1600 1st Ave. East, Milan, IL 61264
State/Territory: IL City: Milan County/Parish/Borough: Rock Island County
Center Coordinates of Review Area: Latitude 41.447813 Longitude -90.546415

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
Tributary Stream S-1	3,145.46 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Tributary S-1 has perennial flow and flows onsite to the north. Tributary S-1 flows off-site to the north and is an unnamed tributary to the Rock River, a TNW (a)(1) water, and is therefore under the jurisdiction of the U.S. Army Corps of Engineers. Tributary S-1 had a natural streambed in Area B with a rocky bottom and tree lined banks. In Areas D and E, Tributary S-1 had an engineered rip-rap lined bottom to prevent erosion during high flow events with no vegetation growing in the stream bed. The width ranged from 12 inches to 36 inches and the depth ranged from 6 inches to 12 inches. Tributary S-1 is a perennial stream which

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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.
[4] 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.
[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.

			collects surface water which flows overland to the north. Trib. S-1 has defined bed and banks as OHWM indicators and is identified as a blue line perennial stream on the USGS topo map. The 1987 Wetland Delineation Manual and Regional Supplement was used to determine the lateral limits of this stream. Due to the flow regime of this stream, Tributary Stream S-1 is jurisdictional under the NWPR. The perennial Tributary Stream connects to the Rock River, a TNW and Section 10 Water located less than 1 mile to the north.
Tributary Stream S-2	1,186.09 feet	a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Tributary S-2 has intermittent flow and flows onsite to the north and flows directly into tributary S-1. The width ranged from 12 to 20 inches and the depth ranged from 10 inches to 18 inches. The streambed was comprised of a mix of both unconsolidated and rock bottom and appeared not to be manipulated. Tributary S-2 is an intermittent stream which collects surface water which flows overland to the north. Trib. S-2 has defined bed and banks as OHWM indicators. The 1987 Wetland Delineation Manual and Regional Supplement was used to determine the lateral limits of this stream. Due to the flow regime of this stream, Tributary Stream S-2 is jurisdictional under the NWPR. The intermittent Tributary Stream connects to Tributary Stream S-1 which connects to the Rock River, a TNW and Section 10 Water located less than 1 mile to the north.

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
Wetland-W-1a	2.67 acres	((a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland W-1a is an emergent wetland plant community located in Study Area A. The hydrology of this wetland appears to be maintained through precipitation and surface water runoff from the surrounding landscape. Wetland W-1a is used for stormwater detention and is connected to an (a)(2) water through a swale and culvert and allows surface water to reach an (a)(2) water in a typical year. Wetland W-1a extends outside of Study Area A to the south, as a wetland swale, which leads to (and abuts) a culvert, which goes under a manmade levee and outlets water into Mill Creek. Mill Creek is an (a)(2) perennial tributary, which contributes surface water flow directly to the Rock River, an (a)(1) water, TNW and Section 10 water, in a typical year. Antecedent Precipitation Data and WETS Analysis determined “normal” precipitation for 3 months prior to the wetland delineation in 2017. This determined a

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			typical year. A review of several years of satellite imagery revealed that the drainage swale portion of Wetland 1a extended outside of Study Area A, to the southwest, where the swale abuts a culvert which goes under a man-made levee and outlets onto Mill Creek, an (a)(2) Tributary stream. USGS topo map indicated a drainage patten leading from Wetland W-1a to the levee, under the levee, to Mill Creek. Wetland W-1a has been determined to be an adjacent wetland which has been physically separated from an (a)(2) tributary water by a man-made levee which has a culvert running through it, which allows for a direct hydrologic surface connection and carries flow between Wetland W-1a and to Mill Creek (an (a)(2) tributary water located offsite) in a typical year. For this reason, we have determined Wetland W-1a to be a jurisdictional water under the NWPR.
Wetland-W-1b	1.84 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland W-1b is forested wetland located in Study Area A. Wetland W-1b is mapped as PFO1A on the NWI map. The hydrology of this wetland appears to be maintained through precipitation and surface water runoff from the surrounding landscape. This wetland extended out of Study Area A to the south where it directly abuts the drainage swale portion of Wetland W-1a and allows surface water from Wetland W-1b to flow into Wetland W-1a. Wetland 1a extends outside of Study Area A, to the southwest, where the swale abuts a culvert which goes under a man-made levee and outlets onto Mill Creek, an (a)(2) Tributary stream. Wetland W-1b has been determined to be an adjacent wetland because of its continuous physical surface connection to Wetland W-1a, with no upland, or structures physically separating them. Therefore, the entire area of wetland W-1a and wetland W-1b are viewed as one wetland in considering wetland adjacency. By Rule, if any portion of a wetland, including physically interconnected wetlands, are adjacent to a (a)(1) –(a)(3) water, the entire wetland is considered adjacent (85 FR 22313). Wetland W-1b physically touches Wetland W-1a, which has been physically separated from an (a)(2) tributary water by a man-made levee, which has a culvert running through it, which allows for a direct hydrologic surface connection and carries flow between Wetland W-1b to Wetland W-1a and to Mill Creek (an (a)(2) tributary water located offsite) in a typical year. For this reason, we have determined Wetland W-1b to be a jurisdictional water under the NWPR.
Wetland-W-5	2.78 acres		Wetland W-5 extends out of Study Area C to the south. Portions of this wetland appear to have been constructed to retain/move stormwater. Surface water in this wetland would flow north through roadside

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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.

			ditches and is connected through multiple culverts to perennial stream S-1 in the southwest corner of Study Area D. Hydrology for this wetland appears to be sustained through precipitation and drainage from the surrounding landscape, input from culvert outfall, and surface water runoff. This wetland was impacted by the permitted parking lot expansion in Study Area C. Wetland W-5 and all the smaller wetland areas of Wetland W-5, (W-5b, W-5c and W-5d) are one hydrologic system. Wetland W-5, including the linear wetland ditch portions of Wetland W-5, appear to have been constructed in an adjacent wetland, adjacent to Tributary Stream S-1, based on the hydrological flow regime of W-5 and review of soil survey and topo maps. Since Wetland W-5 was constructed in an adjacent wetland and is connected to Tributary Stream S-1, an (a)(2) water, by multiple culverts, and is physically separated from S-1 by a road, an artificial structure, and is connected to S-1 by a culvert, an artificial feature, and W-5 allows for a direct hydrologic surface connection to S-1 in a typical year through a culvert, we have determined Wetland W-5 to be a jurisdictional water under the NWPR.
Wetland-W-5b	0.08 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland W-5b, is located in Study Area D on the north side of a north facility road in a roadside ditch and the wetland appears to be constructed to move stormwater. Surface water in this wetland would flow west where it connects to perennial stream S-1 in southwest corner of Study Area D. Hydrology for this wetland appears to be sustained through precipitation and drainage from the surrounding landscape, input from culvert outfall, and surface water runoff. Wetland W-5 and all the smaller wetland areas of Wetland W-5, (W-5b, W-5c and W-5d) are one hydrologic system. Wetland W-5b directly abuts Tributary Stream S-1, a jurisdictional (a)(2) tributary stream under the NWPR. The perennial Tributary Stream S-1 connects to the Rock River, an (a)(1) water, TNW and Section 10 Water located less than 1 mile to the north. Due to Wetland W-5b directly abutting Tributary Stream S-1, Wetland W-5b is determined to be a jurisdictional water under the NWPR.
Wetland-W-5c	0.01 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland W-5c, is located in Study Area D on the north side of a north facility road in a roadside ditch and the wetland appears to be constructed to move stormwater. Surface water in this wetland would flow west through ditch Wetland W-5b where it connects to perennial Tributary Stream S-1, in southwest corner of Study Area D. Hydrology for this wetland appears to be sustained through precipitation and drainage from the surrounding landscape, input from culvert outfall, and surface water runoff. Wetland W-5 and all the smaller wetland areas of Wetland W-5, (W-5b, W-5c and W-5d)

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			are one hydrologic system. Wetland W-5c, appears to have been constructed in an adjacent wetland, adjacent to Tributary Stream S-1, based on the hydrological flow regime of W-5, W-5b and W-5c and review of soil survey and topo maps. Wetland W-5c was constructed in an adjacent wetland and is connected to Wetland W-5b by a culvert and has a direct hydrologic surface connection to Wetland W-5b and Tributary S-1 in a typical year. Wetland W-5b directly abuts Tributary Stream S-1, an (a)(2) water, making it an adjacent wetland. Wetland W-5c appears to be part of W-5b, separated by an artificial feature, a culvert. We have determined Wetland W-5c to be a jurisdictional water under the NWPR.
Wetland-W-7	0.18 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland W-7 is a mixed type plant community (Shrub-carr and forested) is located within a drainage swale that drains into intermittent stream S-2. Hydrology for this wetland appears to be maintained by groundwater, precipitation, and overland surface runoff. Wetland W-7 directly abuts Tributary Stream S-2, a jurisdictional under the NWPR. The intermittent Tributary Stream connects to perennial Tributary Stream S-1 which connects to the Rock River, a TNW and Section 10 Water located less than 1 mile to the north. Due to Wetland W-7 directly abutting Tributary Stream S-1, Wetland W-7 is determined to be a jurisdictional water under the NWPR.
Wetland-W-8	1.48 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland W-8 is an emergent plant community wetland located within a drainage swale and adjacent low-lying drainage basin. Surface water from this wetland flows into stream S-1 through culverts. Hydrology for this wetland appears to be maintained by groundwater, precipitation, and overland surface runoff. This wetland was impacted by the parking lot expansion and as a result the boundary increased through the addition of a retention area designed to receive surface water flow from the adjacent parking area to the north. This area is connected to the 2018 delineated portion of W-8 via culverts. Wetland W-8 directly abuts Tributary Stream S-1, a jurisdictional under the NWPR. The perennial Tributary Stream connects to the Rock River, a TNW and Section 10 Water located less than 1 mile to the north. Due to Wetland W-8 directly abutting Tributary Stream S-1, Wetland W-8 is determined to be a jurisdictional water under the NWPR.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))[4]:

Exclusion Name	Exclusion Size	Exclusion[5]	Rationale for Exclusion Determination
Wetland-W-1c	2.22 acres	(b)(1) Non-adjacent wetland	Wetland W-1c is an emergent wetland plant community located in Study Area A. Wetland W-1c is a stormwater detention pond connected through a ditch and culvert.

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			W-1c was not historically wetland. Aerial photo review indicates the creation of this wetland between 2004 and 2009. Wetland (W-1c) was created in an upland soil unit for the collection of storm water after the expansion of building development on the overall John Deere site outside of the Study Areas. The hydrology of this wetland appears to be maintained through runoff from the surrounding landscape. This wetland is a non-jurisdictional stormwater basin constructed in non-wetlands. Due to its status as a man-made stormwater detention pond with no direct surface connection to jurisdictional waters, Wetland W- 1c is not a jurisdictional water under the NWPR.
Wetland-W-2	0.69 acres	(b)(1) Non-adjacent wetland	Wetland W-2 is an isolated wetland contained within a closed depression in Study Area B. Hydrology for this wetland appears to be maintained through precipitation and surface runoff from the surrounding landscape. Wetland W-2 was dominated by invasive giant reed grass (*Phragmites australis)*. Due to its status as a closed depression with no direct surface connection to jurisdictional waters, Wetland W- 2 is isolated and is not a jurisdictional water under the NWPR.
Wetland-W-3	1.07 acres	(b)(1) Non-adjacent wetland	Wetland W-3 is an isolated wetland contained within a closed depression in Study Area B. Hydrology for this wetland appears to be maintained through precipitation and surface runoff from the surrounding landscape. Wetland W-3 was actively farmed. Due to its status as a closed depression with no direct surface connection to jurisdictional waters, Wetland W- 2 is isolated and is not a jurisdictional water under the NWPR.
Wetland-W5d	0.01 acres	(b)(1) Non-adjacent wetland	Wetland W-5d, is located in Study Area D on the north side of a north facility road in a roadside ditch and the wetland appears to be constructed to move stormwater. Surface water in this wetland would flow west through ditch Wetland W-5c and through ditch Wetland W-5b where it connects to perennial stream S-1 in southwest corner of Study Area D. Hydrology for this wetland appears to be sustained through precipitation and drainage from the surrounding landscape, input from culvert outfall, and surface water runoff. Wetland W-5 and all the smaller wetland areas of Wetland W-5, (W-5b, W-5c and W-5d) are one hydrologic system. W-5d is separated from W-5c by a short section of upland, so surface water from W-5d would flow through an upland area (in the roadside ditch) before flowing into W-5c and W-5b and S-1. There are no natural or artificial features or structures separating wetland W-5d from Tributary S-1 stream an (a)(2) water, which would allow for a direct surface connection between W-5b and S-1 in a typical year. Therefore, Wetland W-5d is non-adjacent, isolated wetland and is not a jurisdictional water under the NWPR.

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Wetland-W-6	0.03 acres	(b)(1) Non-adjacent wetland	Wetland W-6 is an isolated emergent wetland contained within man-made swale along the edge of a parking lot in Study Area C. Hydrology for Wetland W-6 appears to be sustained through precipitation and surface water runoff from the surrounding landscape. Due to its status as a being contained in a man-made swale with no direct surface connection to jurisdictional waters, Wetland W-6 is isolated and not a jurisdictional water under the NWPR.

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.

_X_ Information submitted by, or on behalf of, the applicant/consultant: *Title(s) and date(s).TRC Companies, TRC Project# 407751.0000.0000, Wetland & Waterway Delineation Report, John Deere Parts Distribution Center Site, 1600 1st Avenue East, Milan, Rock Island County, Illinois, November 6, 2020. Previous TRC wetland and waterway delineation reports: 5/22/17, 9/11/17, 8/1/2018, 11/7/18.*
This information *is* 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).*

_X_ Photographs: *(NA, aerial, other, aerial and other) Title(s) and/or date(s).Google Earth satellite imagery 1995-2019*

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

_X_ Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).CEMVR-OD-P-2017-776, dated November 7, 2017.*

_X_ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

_X_ USDA NRCS Soil Survey maps: *Title(s) and/or date(s).USDA NRCS Web Soil Survey 3.1*

_X_ USFWS NWI maps: *Title(s) and/or date(s).US Fish and Wildlife Service National Wetland Inventory*

_X_ USGS topographic maps: *Title(s) and/or date(s).USGS Topo Map Milan, IL 7.5' Quadrangle map*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Google Earth Pro and USGS National Elevation Dataset contour map
USDA Sources	USDA aerial imagery of farmed areas within recent years (last 3-5 years)
NOAA Sources	N/A.
USACE Sources	1987 USACE Wetland Delineation Manual and 2010 Midwest Regional Supplement.
State/Local/Tribal Sources	Midwest Regional Climate Center cli-MATE database

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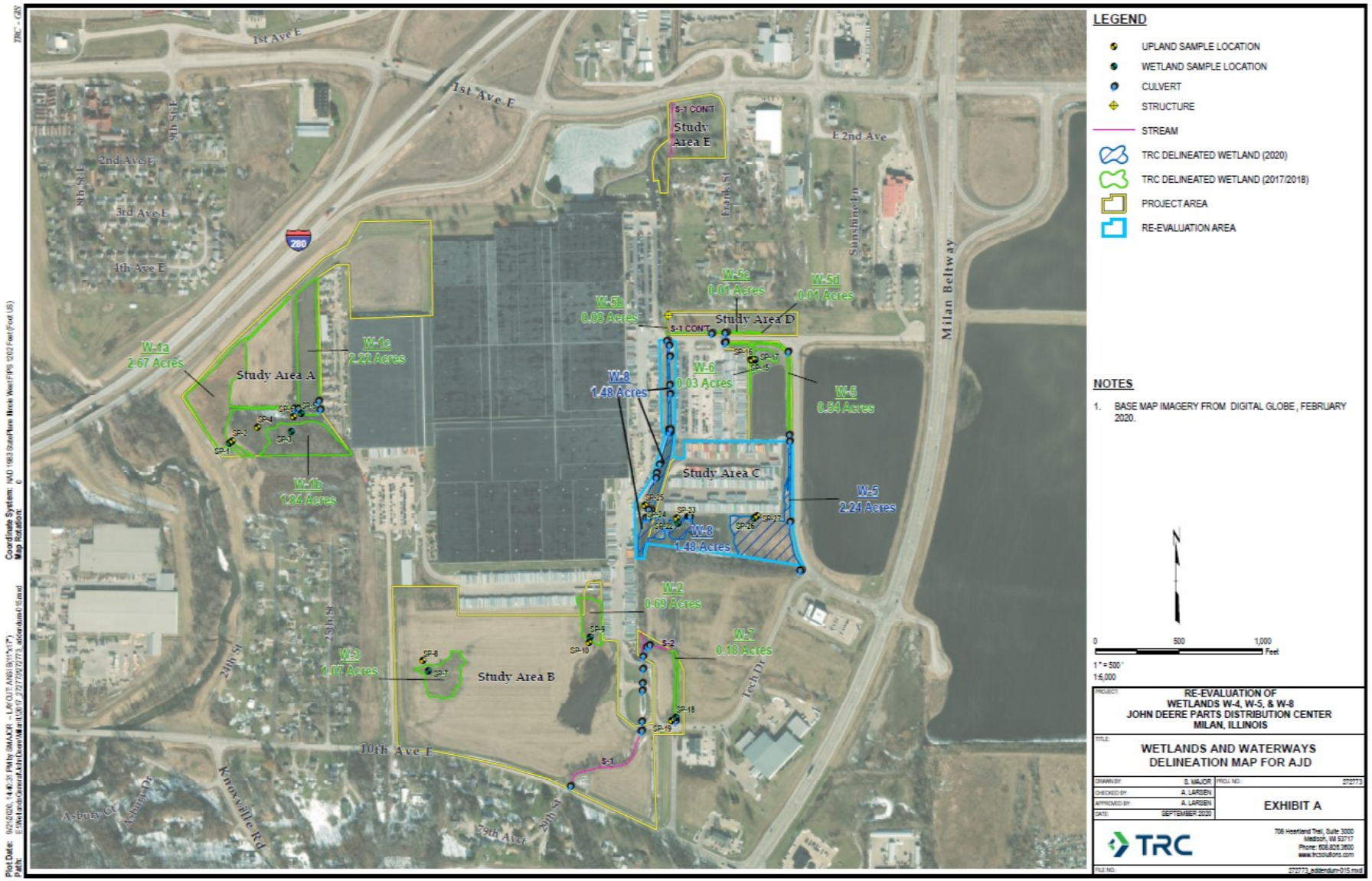
Other Sources	USDA NRCS WETS table for Rock Island Co, IL
Other Sources	FEMA Floodplain map
Other Sources	Google Earth Pro aerial imagery (years 2000, 2004, 2009, 2012, 2016)

Typical year assessment(s): N/A or provide typical year assessment for each relevant data source used to support the conclusions in the AJD.TRC used the Antecedent Precipitation Data/WETS Analysis for the original wetland delineation report dated 5/22/17. The precipitation data covered the period of January 20, 2017 – April 19, 2017. The source location was Moline Quad City Intl. Airport. The date that the delineation was performed (5/22/17), the data shows that the precipitation was "normal" for the time period. TRC used the Antecedent Precipitation Data/WETS Analysis for the amended wetland delineation report dated 11/9/18. The precipitation data covered the period of August 1, 2018 – October 31, 2018. The source location was Moline Quad City Intl. Airport. The date that the delineation was performed (11/9/18), it shows that the precipitation was "wet" for the time period. For investigated wetland areas lacking hydrology indicators, you would expect to find these hydrology indicators during normal conditions, and they should be especially apparent in a wetter than normal time of year, you would expect to see hydrology indicators. if these areas were going to have wetland hydrology during normal conditions, it would be apparent during a "Wetter than Normal" time period

B. **Additional comments to support AJD:** N/A or provide additional discussion as appropriate. FEMA Flood Insurance Rate Map, Panel NO. 17063C0070F, Aug 2, 2012.

[1] Map(s)/Figure(s) are attached to the AJD provided to the requestor.
[2] 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.
[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.
[4] 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.
[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.


LEGEND
UPLAND SAMPLE LOCATION
WETLAND SAMPLE LOCATION
CULVERT
STRUCTURE
STREAM
TRC DELINEATED WETLAND (2020)
TRC DELINEATED WETLAND (2017/2018)
PROJECT AREA
RE-EVALUATION AREA
NOTES
1. BASE MAP IMAGERY FROM DIGITAL GLOBE, FEBRUARY 2020.
Study Area A
Study Area B
Study Area C
Study Area D
Study Area E
W-1a 2.67 Acres
W-1b 1.84 Acres
W-1c 2.22 Acres
W-2 0.69 Acres
W-3 1.07 Acres
W-5 2.24 Acres
W-5 0.64 Acres
W-5a 0.01 Acres
W-5b 0.03 Acres
W-5d 0.01 Acres
W-6 0.03 Acres
W-7 0.18 Acres
W-8 1.48 Acres
W-8 1.48 Acres
1st Ave E
2nd Ave E
3rd Ave E
4th Ave E
9th St E
8th St E
Hank St
Sunshine Ln
E 2nd Ave
Milan Beltway
24th St
23rd St
Tech Dr
10th Ave E
Knoxville Rd
Asbury Ct
Asbury Dr
29th Ave E
29th St
RE-EVALUATION OF
WETLANDS W-4, W-5, & W-8
JOHN DEERE PARTS DISTRIBUTION CENTER
MILAN, ILLINOIS
WETLANDS AND WATERWAYS
DELINEATION MAP FOR AJD
EXHIBIT A
TRC