

Isolated: Illinois Wetlands At Risk

The Impact of Solid Waste Agency of Northern Cook County

vs.

US Army Corps of Engineers



Executive Summary

Wetlands are America's most diverse and perhaps most important ecosystem; providing important habitat for a wide range of plant and animal species and important flood control services.

In January 2001, the US Supreme Court ruled that the US Army Corps of Engineers had overstepped their authority in denying the Solid Waste Agency of Northern Cook County a permit to destroy a collection of ponds. The ruling meant that impacting so-called "isolated wetlands" were no longer regulated by the federal government.

The Illinois Chapter of the Sierra Club set out to determine the impact of this decision upon Illinois' wetlands; particularly wetlands in the northeastern part of Illinois; which according to the Illinois Department of Natural Resources, has the highest number of isolated wetlands in the State.

Through an investigation of US Army Corps responses to permit requests from developers and other seeking to alter or destroy wetlands, Sierra Club found the following:

- There were 261 wetland impacting projects that the Corps declared "no jurisdiction" over during 2001.
- Developers began to specifically request that the Corps declare "no jurisdiction" on their wetland impacting projects.
- Based on the Court's ruling, the Corps either dropped ongoing enforcement actions or declined to pursue an action even after a violation had been noted.
- The average size of wetlands declared "non-jurisdictional" was 3 acres.

These 261 cases are only examples. It is unknown how many other wetlands were destroyed because developers decided for themselves that the Corps did not have jurisdiction over a wetland, or the precise total number of wetlands left without federal protection. Prior to the Court's decision, isolated wetlands accounted for 60% of the remaining wetlands in the state, or 12% of the remaining wetland acreage.

Isolation: Illinois Wetlands At Risk

Sierra Club Study Finds Illinois' Wetlands In Dire Need of Protection

Wetlands are America's most diverse ecosystems. From the Florida Everglades to the Platte River in Kansas to the San Pedro River in Arizona to southern Illinois' pristine Cache River basin, wetlands are the last bastion of some of the nation's rarest and most endangered species, as well as many of its most common animals and plants.

Wetlands are also a boon to the human population of America, providing invaluable flood control and water purifying mechanisms in an increasingly urbanized landscape, as well as irreplaceable recreational opportunities.

But wetlands are in trouble all over the country...

Scientists estimate that 54% of wetlands in the United States have been lost due to human activities since the landing of Columbus. The situation is even more grim in Illinois. In 1818 there were over 8 million acres, or 23% of the total land area, of wetlands in the state. Today, only 1,251,240 acres (2.5% of the State) remains as wetlands. A staggering 90% of Illinois' wetlands have been destroyed.

Many of those marshes, fens, bogs, swamps, sloughs, ponds and prairie potholes are vulnerable to destruction from a new threat: the loss of federal protections that they have enjoyed for decades.

A Supreme Court Decision Leaves Isolated Wetlands Unprotected

The US government lost its regulatory power to protect many wetlands - those not connected to a navigable waterway - in a January 2001 US Supreme Court ruling in *Solid Waste Agency of Northern Cook County (SWANCC) v. United States Army Corps of Engineers*.

Under Section 404 of the Clean Water Act, Congress mandated that it is unlawful to release dredged or fill material, without a permit, into a wetland under federal jurisdiction. The Environmental Protection Agency (EPA) and the United States Army Corps of Engineers are the two federal agencies which implement Section 404. Since Illinois has no wetland protection program of its own, we have depended on those agencies to protect our wetlands for us. Under provisions of the Clean Water Act, property owners must apply for a permit from the Corps before altering wetlands. In 1986, the Corps added the "migratory bird" rule, which included in its jurisdiction wetlands that are or may provide habitat to migratory birds crossing state lines.

The Solid Waste Agency of Northern Cook County (SWANCC) purchased a former strip mine, totaling 533 acres, in Bartlett, Illinois near Chicago in 1990 with the intention of building a garbage dump. Between 1997 and 1999, the local zoning board, the Cook County Board of Commissioners, and the Illinois Environmental Protection Agency approved SWANCC applications to fill approximately 17 acres of wetlands found on the site.

When a colony of migratory birds was found to be breeding on the Bartlett Balefill site, the Army Corps of Engineers, claimed jurisdiction over the area under Section 404, and denied the

permit request based on the “migratory bird” rule. SWANCC appealed the Corps’ denial of the permit, challenging the “migratory bird” rule. The Northern District of Illinois and the Seventh Circuit Court of Appeals upheld the Corps’ decision, and SWANCC appealed to the United States Supreme Court.

In January 2001, the Supreme Court ruled 5 - 4 that the use of the “migratory bird” rule by the Corps for the purpose of protecting isolated wetlands under Section 404 exceeded the authority granted to it by that section. The decision affected hundreds of thousands of isolated wetlands across the nation.

In one fell swoop, approximately 150,118 acres (60% of the remaining wetlands and about 12% of the states wetland acreage) of isolated wetlands in Illinois were left vulnerable to development by the US Supreme Court, according to an analysis of wetlands data by the Illinois Department of Natural Resources.

In addition to the SWANCC case, other federal court ruling have further eroded the Corps’ authority to protect wetlands. The Bush Administration is now considering whether to dramatically scale wetland protections as a result.

Sierra Club Tests The Waters: A Year Without Protection

In 2002, the year following the fateful Supreme Court decision on isolated wetlands, Sierra Club set out to answer a simple question: What was the impact of the SWANCC decision on Illinois wetlands?

Sierra Club filled out and submitted the necessary Freedom of Information Act (FOIA) request forms with the Chicago District of the US Army Corps of Engineers. The Chicago District includes the six counties in northeastern Illinois: Lake, McHenry, Kane, DuPage, Cook and Will counties, corresponding to the footprint of greater metropolitan Chicago. It is also the region of the state, according to the Illinois Department of Natural Resources, with the most isolated wetlands.

On two occasions Sierra Club volunteers were permitted access to review how the Corps was responding to requests for a jurisdictional opinion to determine whether individual wetlands were still protected.

The results of the Sierra Club’s FOIA request were stunning...

Documents obtained from the Corps showed that from January 8, 2001 through January 8, 2002, the Corps’ Chicago District office received 261 applications to which the Corps replied to the permittee that they no longer had jurisdiction as a result of the SWANCC decision, and therefore, no permit was needed.

In simple terms, the Corps’ “no jurisdiction” decisions meant that in the six northeastern Illinois counties, 261 isolated wetlands were left completely unprotected

Of the 261 applications, 138 were examined by Sierra Club. This partial examination revealed the following information:

- Developers are specifically asking for a determination of “no jurisdiction” from the Corps. To attain such a determination, developers often provide a paucity of information; often no more than a photocopy of a road map;
- There were at least two cases of an enforcement action against a housing developer for illegally filling a wetland that was dropped;
- A wide variety of wetlands being impacted: farmed, wooded, shrub filled, and emergent vegetation (palustrine) wetlands;

- The wetlands ranged in quality from low to high and were often part of larger wetland complexes;
- There was at least one case of the wetland providing habitat for threatened or endangered species (Blanding’s Turtle).

The tip of the iceberg...

One of the most notable findings of the Sierra Club permit investigation was the fact that developers quickly understood the ramification of the SWANCC decision and sought to exploit the resulting gap in federal protections. In file after file, Sierra Club volunteers encountered letters from developers stating their desire for a “no jurisdiction” determination by the Corps.

A housing development located near Poplar Creek Forest Preserve in suburban Hoffman Estates submitted such a letter and included a photocopy of a standard road map. On the map the location of the wetlands in question were roughly circled, however no topography or water feature could be seen. No additional information was supplied or requested and the Corps granted the developer’s “no jurisdiction” request.

In this instance and with the other 260 applications, some information was supplied to the Corps. This public record paints a partial picture of the impact of the SWANCC decision on Illinois’ wetlands. What is missing are those wetlands that have been altered, their flood control and wildlife benefits destroyed, by developers who chose to interpret the SWANCC decision for themselves and avoid the Corps.

Table 1. USACE “No jurisdiction” Determinations By County During 2001¹.

County	Total	Average Size (acres)²	Largest²	Smallest²
Cook	84	3.42	18.6	0.01
DuPage	30	5.13	15.75	0.24
Lake	60	2.19	18.3	0.06
McHenry	24	3.38	11.56	0.28
Kane	19	0.79	1.6	0.3
Will	42	3.14	17.1	0.23

1 Source: Chicago District, US Army Corps of Engineers
 2 Of those wetland permit files randomly examined by Sierra Club (138 of 261 total)

Wetlands Are Worth Saving: Benefits To Wildlife And Humans

Despite the fact that wetlands cover only 3.5% of the U.S., more than 1/3 of all threatened and endangered species rely solely on this habitat type, and an additional 20% depend on wetlands for part of their life cycle. Illinois wetlands provide breeding, nesting, forage, and protective habitat for approximately 40% of the State’s threatened and endangered plants, birds and animals.

Ephemeral, or seasonal, wetlands are crucial to the survival of amphibian and certain invertebrate populations who depend on this habitat type to provide protection from predators; losing these wetlands can wipe out entire amphibian populations. Likewise, seasonal wetlands provide habitat for

birds during their migration. As wetlands are lost, there are fewer places for birds to land and forage for food, resulting in shorter life spans, fewer births and overall population declines.

From 1988 to 1998, floods killed 13 Illinois residents and cost \$2.9 billion. Flood damage is estimated at \$39 million in an average year in northeastern Illinois, and was even greater in 2001. Wetlands act like sponges, retaining water and reducing flooding to surrounding areas; the degree of flood protection depends on the size and type of the wetland. Wetland vegetation reduces the speed of floodwater causing water to move more evenly across the floodplain.

A study by the US Fish and Wildlife Service found that 63 million Americans nationwide spent \$29.3 billion watching, photographing, and feeding wildlife in 1996 alone. In Illinois the economic impact was correspondingly significant with \$6.6 million spent. Since wetlands are among the most productive ecosystems, it is clear that a significant economic impact is derived from the protection of wetlands.

Three Illinois Counties Fill The Breach

While isolated wetlands currently are unprotected on the federal and state level, local counties have taken some steps to protect their own wetland resources.

Heavy rains in 1986 and 1987 resulted in massive flooding in the metropolitan Chicago area with several deaths and nearly \$100 million of damage. The Illinois General Assembly passed legislation in 1987 to permit counties to manage their own storm water drainage.

In the Chicago area, three collar counties - Kane, DuPage and Lake counties have implemented local wetlands protections based on authority granted to them from 1987 state stormwater control legislation. In doing so these counties recognized the vital role that all wetlands play in the protection of property from flood damage.

The success of DuPage, Kane, and Lake County ordinances stems partly from the fact that the definition of "wetland" and the methodology for wetland delineation are both tied to the federal regulation program. Because of this, there is inherent familiarity with the process and requirements by developers.

Cook, Will, and McHenry counties have the same authority under state law. McHenry County is in the process of developing an ordinance, Will County has developed an ordinance that does not protect wetlands, and Cook County has yet to act.

Statewide Wetlands Protection Bill Is Needed

It is unlikely that the US Congress will take action to reinstate federal protection any time soon. In the absence of federal leadership, Illinois needs to pass a statewide protective measure.

The Sierra Club and other environmental groups in Illinois are working with legislators now to pass legislation which would restore former levels of protection to isolated wetlands. Legislation soon to be introduced in Springfield by State Representative Karen May (D-Highland Park) would restore protections to wetlands that the federal government is no longer protecting by requiring a permit from the state before anyone could destroy a wetland in Illinois.

If the applicant could demonstrate that there were no reasonable alternatives to destroying the wetland, and that it would not result in a loss of flood control, wildlife habitat, or water purification functions, then a permit would be issued by the Illinois Department of Natural Resources (IDNR). The IDNR, which includes the state's experts on wildlife and flood control, would consult with the

Illinois Environmental Protection Agency to determine if the proposed activity would cause a violation of Illinois' water quality standards.

The bill would also allow for the wetland protection program to be run by northeastern Illinois county governments, rather than the state, if the county preferred. Lake, DuPage, and Kane counties have moved to establish programs, and the state program would not apply in these areas as long as the county programs were effectively protecting wetlands.

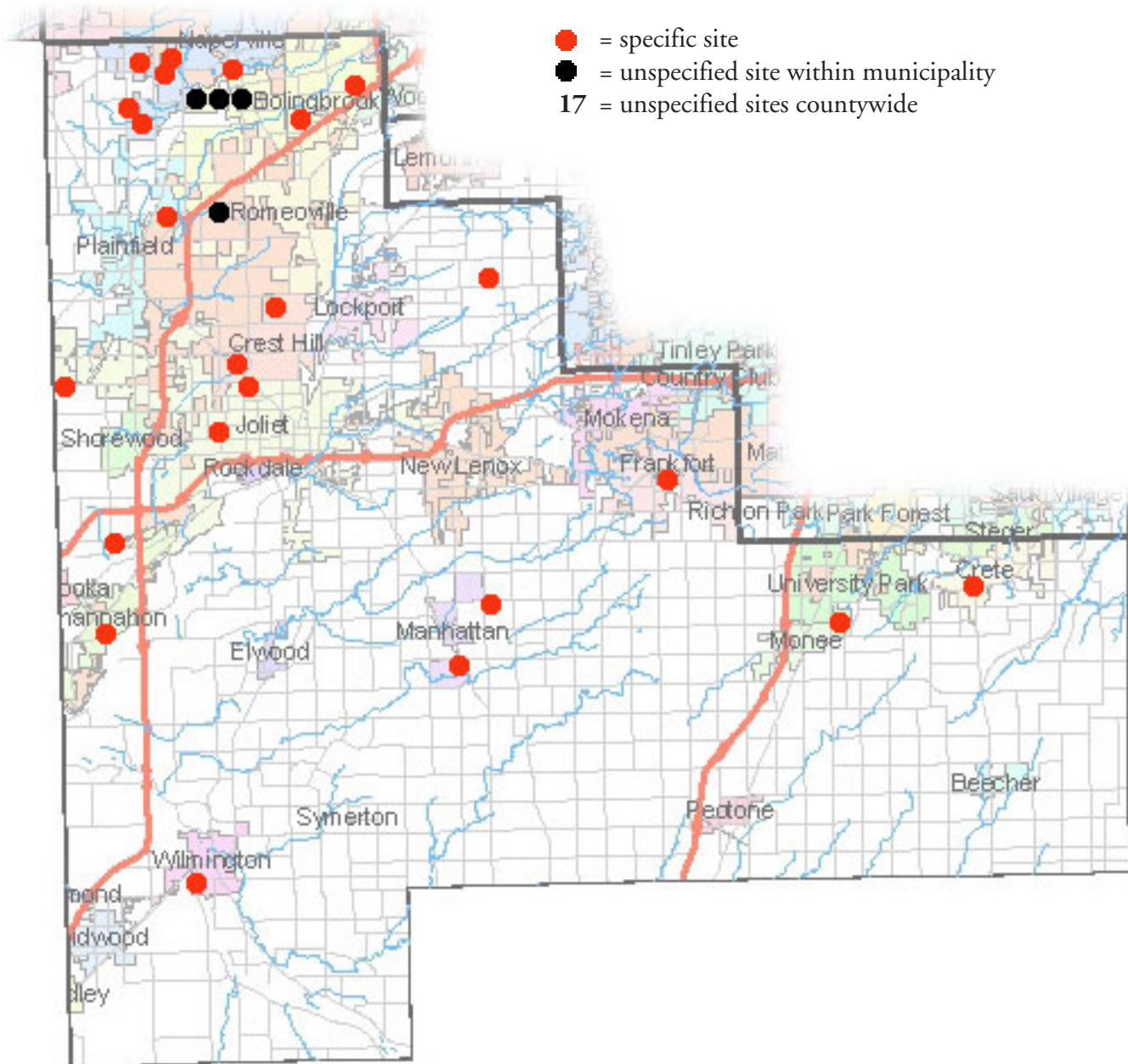
Developers, realtors, and other business interests have proposed legislation that would eliminate the existing county-level programs to protect wetlands, and replace them with a weaker statewide program.

Action by the Illinois General Assembly is expected this month.

For more information about the Sierra Club's legislative campaign to protect Illinois' isolated wetlands or about the Sierra Club and its activities, please contact the Illinois Chapter office of the Sierra Club at 312-251-1680 or visit the Sierra Club's web site at <http://illinois.sierraclub.org>

Wetlands At Risk: Will County

42 examples of Will County wetlands that lost federal protection during 2001



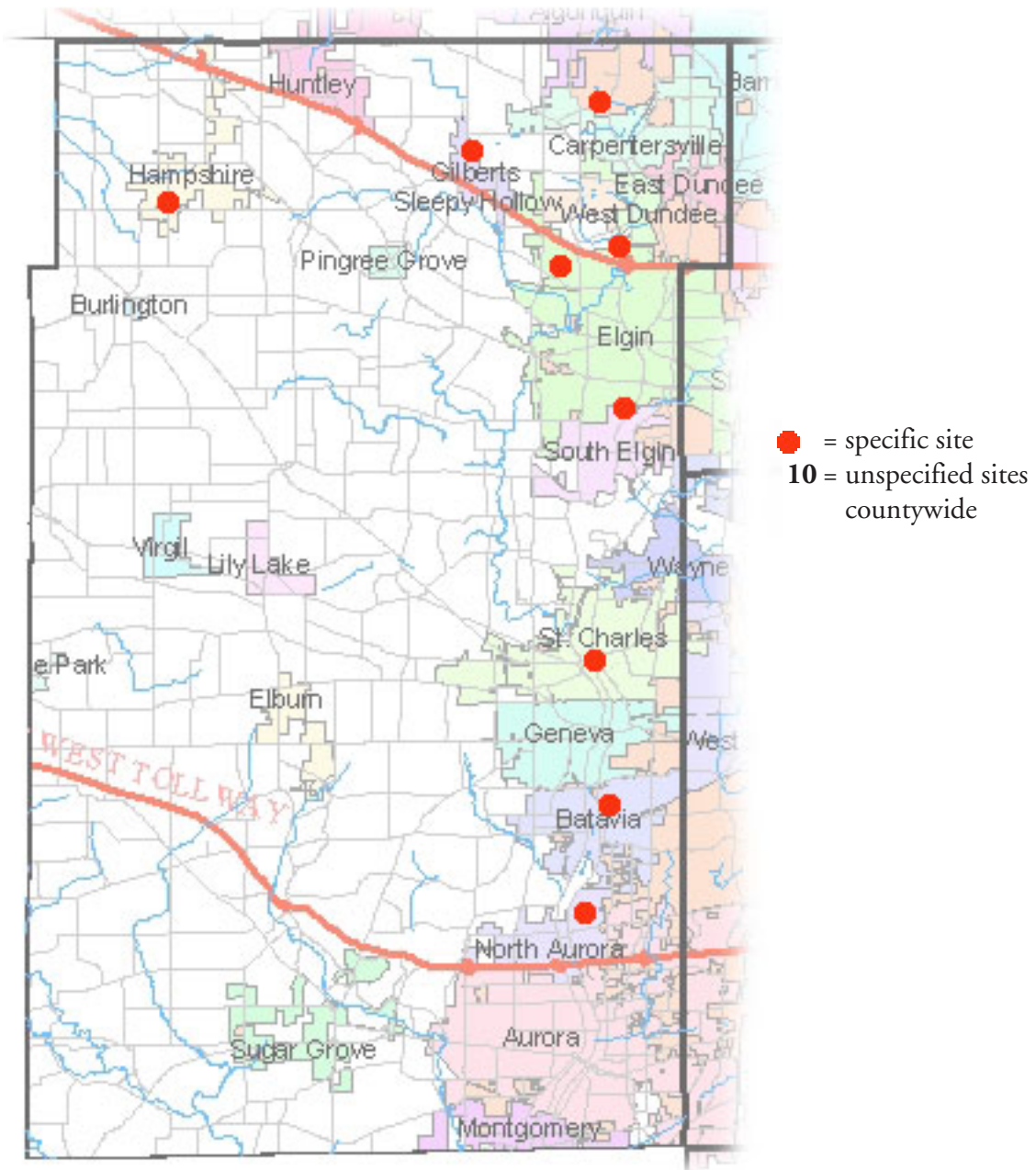
A total of 42 wetlands were declared “non-jurisdictional” by the USACE in Will County during 2001. Of these, 23 had their specific locations determined by Sierra Club. Four wetlands had a nonspecific location within a municipality and 17 were unspecified countywide.

Source: USACE

Map: NIPC Digital Map and ESRI Corp. State Data (1999)

Wetlands At Risk: Kane County

19 examples of Kane County wetlands that lost federal protection during 2001



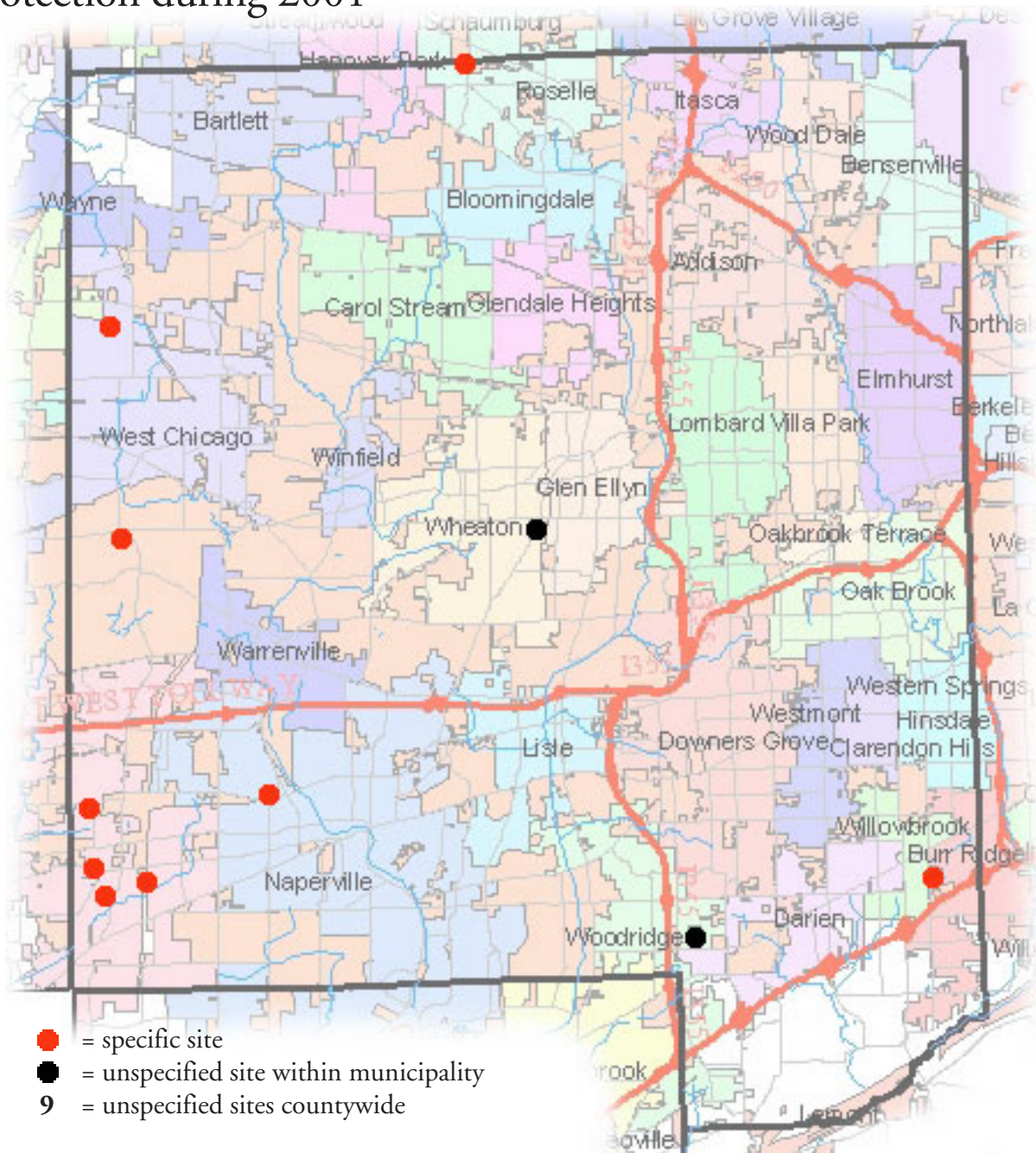
A total of 19 wetlands were declared “non-jurisdictional” in Kane County during 2001. Of these, 9 had their specific locations determined by Sierra Club. 10 wetlands were unspecified countywide.

Source: USACE

Map: NIPC Digital Map and ESRI Corp. State Data (1999)

Wetlands At Risk: DuPage County

30 examples of DuPage County wetlands that lost federal protection during 2001



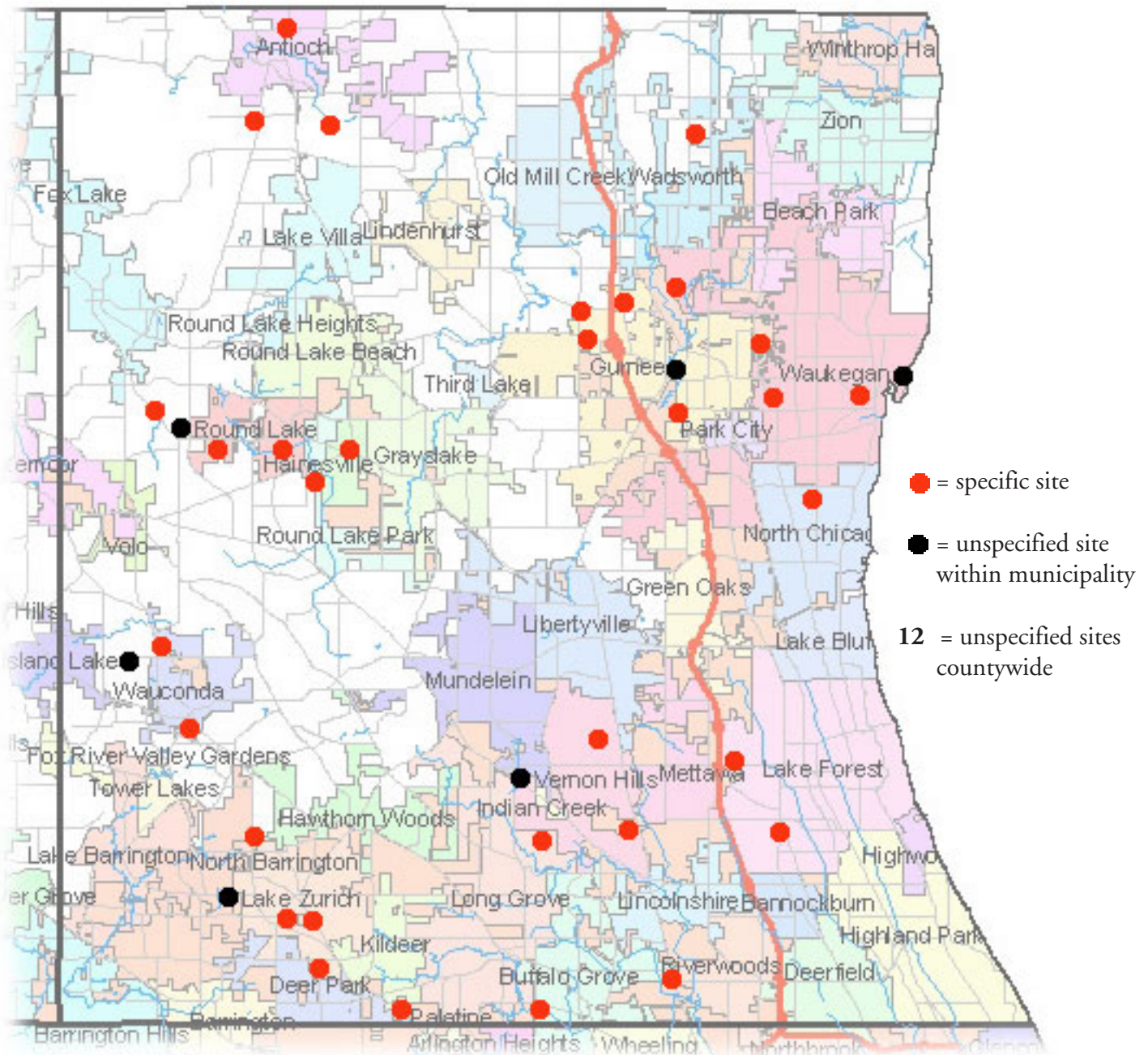
A total of 30 wetlands were declared “non-jurisdictional” in McHenry County during 2001. Of these, 9 had their specific locations determined by Sierra Club. Two wetlands had a nonspecific location within a municipality and 9 were unspecified countywide.

Source: USACE

Map: NIPC Digital Map and ESRI Corp. State Data (1999)

Wetlands At Risk: Lake County

60 examples of Lake County wetlands that lost federal protection during 2001



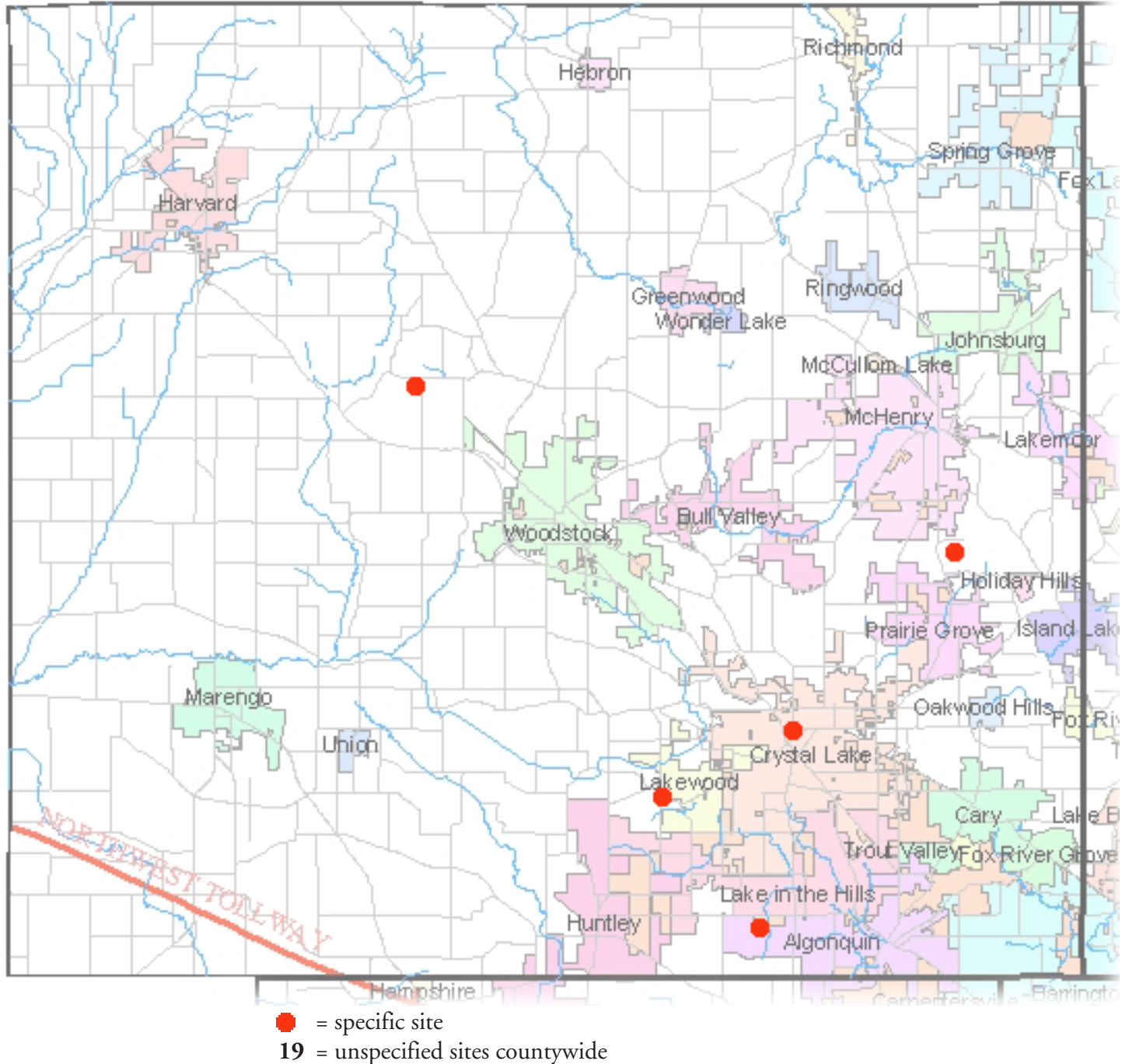
A total of 60 wetlands were declared “non-jurisdictional” in Lake County during 2001. Of these, 32 had their specific locations determined by Sierra Club. Six wetlands had a nonspecific location within a municipality and 12 were unspecified countywide.

Source: USACE

Map: NIPC Digital Map and ESRI Corp. State Data (1999)

Wetlands At Risk: McHenry County

24 examples of McHenry County wetlands that lost federal protection during 2001



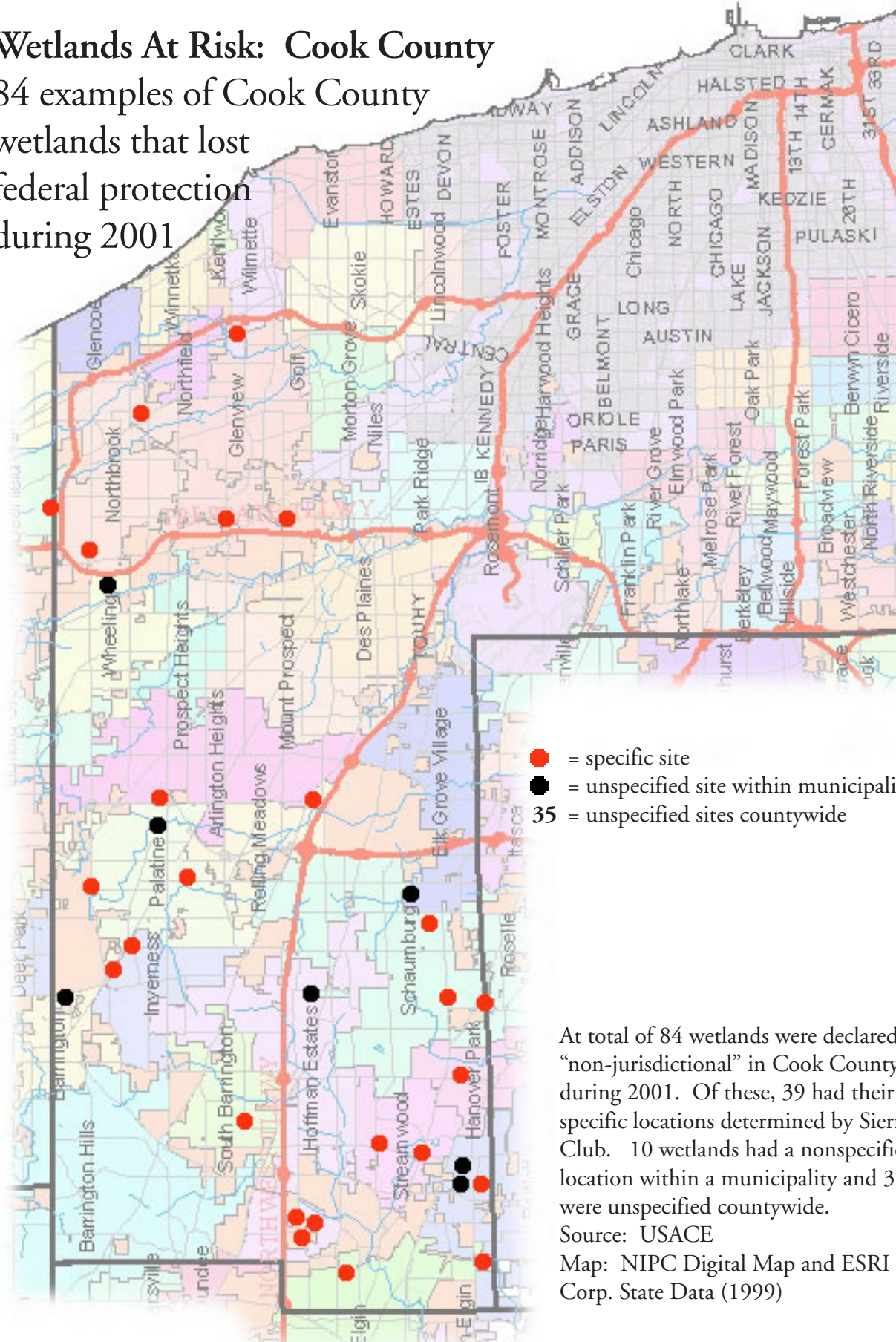
At total of 24 wetlands were declared “non-jurisdictional” in McHenry County during 2001. Of these, five had their specific locations determined by Sierra Club. 19 were unspecified countywide.

Source: USACE

Map: NIPC Digital Map and ESRI Corp. State Data (1999)

Wetlands At Risk: Cook County

84 examples of Cook County wetlands that lost federal protection during 2001

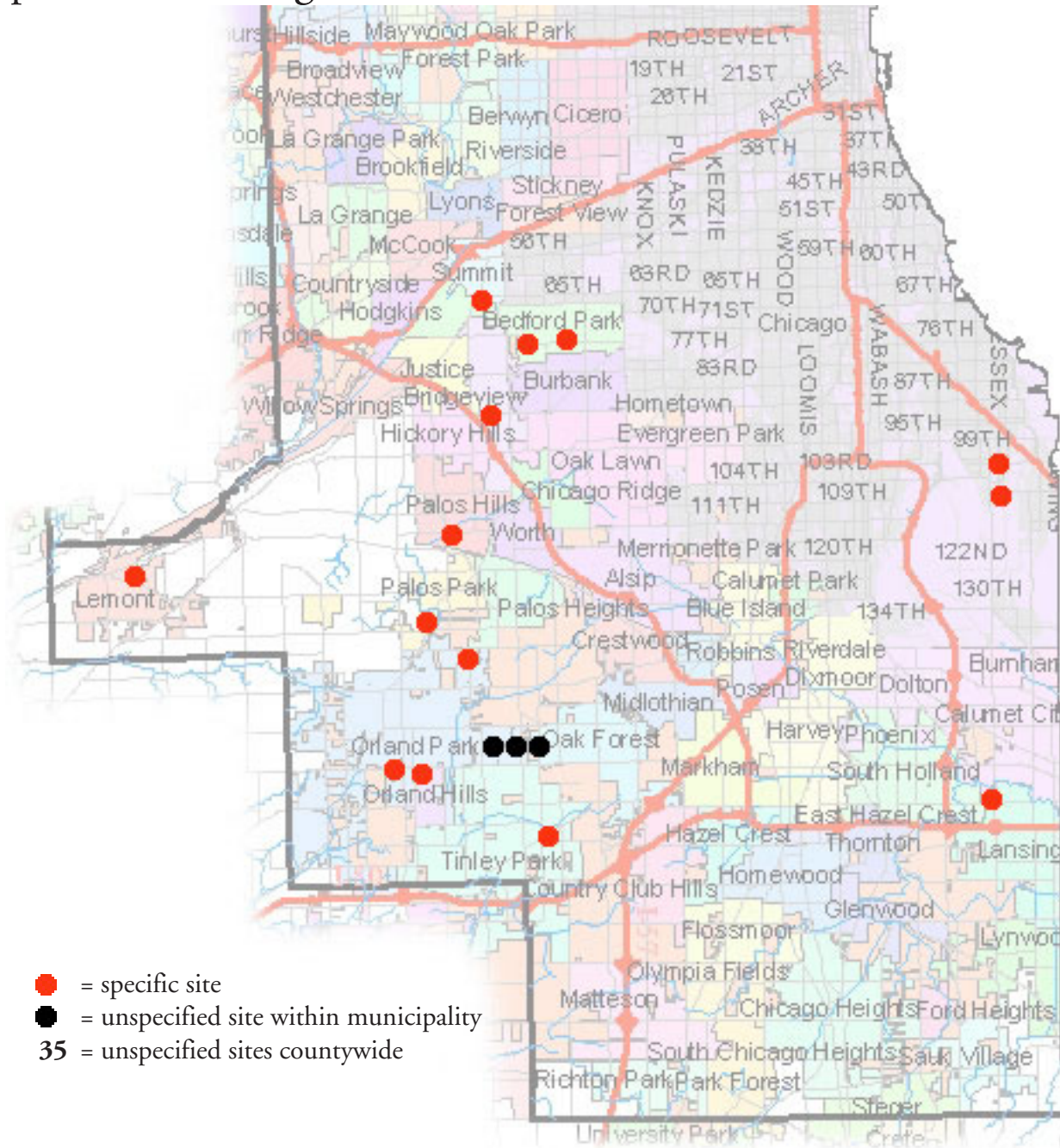


At total of 84 wetlands were declared “non-jurisdictional” in Cook County during 2001. Of these, 39 had their specific locations determined by Sierra Club. 10 wetlands had a nonspecific location within a municipality and 35 were unspecified countywide.

Source: USACE
 Map: NIPC Digital Map and ESRI Corp. State Data (1999)

Wetlands At Risk: Cook County

84 examples of Cook County wetlands that lost federal protection during 2001



A total of 84 wetlands were declared “non-jurisdictional” in Cook County during 2001. Of these, 39 had their specific locations determined by Sierra Club. 10 wetlands had a nonspecific location within a municipality and 35 were unspecified countywide.

Source: USACE

Map: NIPC Digital Map and ESRI Corp. State Data (1999)

Appendix. Chicago District of the US Army Corps of Engineers' List of Permit Requests Determined to be "Non-Jurisdictional" During 2001.

RAMS #	Applicant	Location*	County	Size (acres)*	Notes*
199200879	Schaumburg, Village of		Cook		
199300009	George Noble Associates		Cook		
199900235	John LaFlamboy, Landmark Building Consultants	SE of S terminus of 77th Ave., Bridgeview	Cook	0.61	Enforcement action dropped
199900431	Reliant Bolt, Jos. F. Czarny	Behind the Reliant Bolt Plant	Cook		Enforcement action dropped
199900996	Town & County Homes	Town & Country Bus Park, Central Rd and I-294, Glenview	Cook	2.71	Has a permit but is now asking for a "no jurisdiction" determination due to new development plans with same wetland impact
200000308	Dan Szkirpan, Skirp Constuction Inc.	S of 107st and W of Roberts Rd, Palos Hills - W portion of 29-acres	Cook		Stony Creek runs adjacent
200000451	Edward R James Homes	SE corner of Willow and Waukegan rds	Cook	0.5	Nice mitigation and restoration plan prepared
200000477	Carl Vandenberg	18 ac. Misty Pines subdivision SW of Ridgeland Ave and 183 St	Cook	0.524	most of subdivision is in floodplain (Union Creek, DesPlaines River)
200000540	Ryland Homes		Cook		
200000892	Kenar LLC	N of Shoe Factory Rd, between Rt. 59 and Beverly, Hoffman Estates	Cook	1.5	Farmed wetlands, near Poplar Creek, restored prairie
200000933	Palatine & Barrington		Cook		
200001043	Lifestyle Fitness Mgmt	Orland Park	Cook	0.71	
200001093	KBM Equipment Repair	NW quarter of section 1, Township 37 North, Range 12 East	Cook	N/A	
200001155	Avergis & Assoc		Cook		
200001162	Nat Res Consulting	11601 S. Torrence Ave, Chicago	Cook	30	
200100027	Nitti Construction	Morgan Lane in South Barrington	Cook	N/A	Company noted for violation but no case pursued
200100050	Raisenen & Assoc		Cook		
200100085	Wisvest Corp	Torrence Avenue, 114th Street	Cook	0.15	
200100086	Christopher B. Burke for C.P. Hall Co.	5851 W. 73rd St., Bedford Park	Cook	N/A	
200100169	Manhard Consulting for Apt Appliances	W of Milwaukee Ave, N of Zurich Drive, Glenview	Cook	0.86	DesPlaines River Watershed
200100206	Duke-Weeks Construction	1095 Lake Cook Rd., Deerfield	Cook	> 0.01	
200100212	Ted Gray & Associates		Cook		
200100239	Berger Boys, Inc.	SE Quarter of Sect. 2, T42N, R10E, 3rd P.M.	Cook	N/A	

RAMS #	Applicant	Location*	County	Size (acres)*	Notes*
200100257	Ameren Energy	Grifford Rd, S of Spaulding Rd., Elgin	Cook	1.62	In an existing industrial park, building Elgin Energy Center
200100289	Aspen Homes Inc.	N of NW Highway, 1/2 mile E of Quentin Rd., Palatine	Cook	0.14	Palustrine, emergent, and seasonally flooded wetlands on site
200100290	Glens of Palatine	E of Doe Road, N of Highway 14, S of Dundee Road, Palatine	Cook	0.33	
200100293	First National Development	172nd Street and Torrence Avenue, Lansing	Cook	13.04	A partially wooded wetland
200100299	Planning Resources Inc. for George Lullo	NW corner of 131st St. and 85th Ave., Palos Park	Cook	0.21	Wooded wetland
200100313	Christopher B. Burke for Red Seal Corporation	NW of intersection of Dundee and Sanders rds., Northbrook	Cook	1.14	Emergent wetland
200100314	ENCAP Inc. for Paddock Publications, Inc.	Albion Ave and Wright Blvd., Schaumburg	Cook	0.362	Palustrine emergent wetland
200100342	C.B. Burke		Cook		
200100343	C.B. Burke	NW corner of Route 59, Streamwood	Cook	2.68	Tributary to Poplar Creek
200100364	McNaughton Devlopmt		Cook		
200100391	Environmental Planning		Cook		
200100396	Encap, Inc.	Barrington Hills, Barrington, Village of	Cook	0.05	Partly wooded, small pond
200100400	Encap, Inc.	Hunters Ridge South/Mullady Farm in Hanover Twnshp, Hoffman Estates	Cook	N/A	4 wetlands, part of larger forested formerly farmed site
200100414	Living Word Lutheran Church	E of Rte 6, S of 159th St., Orland Park	Cook		
200100417	Grant, Patrick		Cook		
200100431	Hey & Associates	SW corner of Deer Lane and Acorn Street, Lemont	Cook	11	Palustrine, semi-permanently flooded area
200100438	Encap, Inc.	Village of Bartlett, Hanover Township	Cook	N/A	
200100469	Encap, Inc.		Cook		
200100480	Amdur Associates		Cook		
200100488	Palatine, Village of	Palentine	Cook	0.277	Temporary wetland with lots of shrubbery
200100489	Henderson & Bodwell	Kelley Farm, Hoffman Estates	Cook	N/A	Palustrine emergent semi-permanently flooded area
200100505	Welch Concrete Products	Liberty st.	Cook		Palustrine open water
200100506	Woolpert LLP	Meijer Tract at Golf and Algonquin Roads, Rolling Meadows	Cook	N/A	Two areas, mostly wooded
200100507	CBBEL	Orland Park	Cook	N/A	
200100510	Joseph Freed	N of Wood St. E of Woodwork Lane, Palatine	Cook	1.16	Two areas
200100524	Encap, Inc.	Kimball Hill Homes Property, Wheeling	Cook	N/A	Overgrown landscape nursery, next to a forest preserve
200100543	C.B. Burke		Cook		
200100579	Phoenix and Assoc	Shorewood Propertie, Northwest tollway, Schaumburg	Cook	NA	Partially wooded
200100580		Summit Drive and Schaumburg Rd., Schaumburg	Cook		Conducting shoreline stabilization

RAMS #	Applicant	Location*	County	Size (acres)*	Notes*
200100625	Ehorn Environmental	Between Bartlett rd and the eastern railroad and W of Hawley road	Cook	4.015	Reed canary grass dominated
200100627	Encap, Inc.	Olde Mill located in Orland Park	Cook	18.6	
200100651	Montalbano Homes		Cook		
200100659	First Eagle Homes		Cook		
200100666	Jim Degrado	NW of 159th st and 108th Ave., unincorporated Orland Park	Cook	100 x 30 ft	
200100697	Encap, Inc.		Cook		
200100704	Raisanen & Assoc (Insignia Homes Property)	Intersection of Lilac and Milwaukee Ave., Glenview	Cook	0.1	
200100708	RA Construction		Cook		
200100716	Cowhey Gudmundson		Cook		
200100719	Century 21		Cook		
200100722	Centerpoint Properties	7400 Narragansett, Bedford Park	Cook	N/A	
200100725	CBBEL		Cook		
200100751	Gatling Comm Deve		Cook		
200100854	PAR Development	Bartlett	Cook		
200100880	Encap, Inc.		Cook		
200100926	J&J Construction		Cook		
200100935	V3 Consultants	N of London Lane S. of Fechanville Drive, Mount Prospect	Cook	0.39	
200101000	Iverness, Village of		Cook		
200101001	Taubensee Steel		Cook		214 acre project site
200101026	CH2MHILL		Cook		
200101029	Gatling Community		Cook		
200101030	V3		Cook		
200101042	Cowhey Gudmundson		Cook		
200101045	CBBEL	104th Ave. site, Orland Park	Cook	0.45	
200101050	Hey & Associates	Lakewood Boulevard parcel, Hoffman Estates	Cook	0.45	
200101136	Nicor Gas		Cook		
200101161	Cowhey Gundmundson	Highland Park Pond	Cook	5.6	Human-made pond with wetland around the edge
200101247	Field's BMW & Jeep		Cook		
200101277	Venterra Sales		Cook		
200101311	Kirk Corporation		Cook		
2.001E+09		Schaumburg Road site, Streamwood	Cook		Right by a residential subdivision
199200879	Schaumburg, Village of	Schaumburg Air Park	Cook/DuPage		Village was going to pay 90K to National Fish and Wildlife Account in lieu of completing the current mitigation plan, Corps had agreed to this then told them to wait based upon SWANCC
200000566	Scottsbarry Homes		DuPage		

RAMS #	Applicant	Location*	County	Size (acres)*	Notes*
200000586	Centerpoint Realty Service Corp.	S of Plainfield Rd, W of Madison Rd, E of Adams R, Willowbrook	DuPage	1.03	Some unauthorized filling and violation of DuPage Stormwater ordinance. Send letter asking that the old permit be revoked based upon SWANCC
200001086	Wiseman-Hughes		DuPage		
200001088	Willowbrook, Village of		DuPage	0.47	
200100061	Agincourt Partnership		DuPage		
200100204	Raisanen & Assoc. for Midwest Real Estate Equities, Inc.	NW Quarter of Sect. 16, T38N, R9E, Naperville	DuPage	0.24	
200100211	Duke-Weeks Construction		DuPage		
200100360	C.B. Burke		DuPage		
200100363	Gallagher & Henry	Woodridge	DuPage	2.19	Palustrine scrub/shrub wetland
200100409	Encap, Inc. for Butterfield Development	Ferry Rd., Aurora	DuPage	15.75	
200100421	Encap, Inc.	New York Avenue, N of Vaughn Rd. Naperville Township, Aurora	DuPage	N/A	
200100537	Encap, Inc.		DuPage		
200100594	Encap, Inc.		DuPage		
200100746		Wheaton Sanitary District	DuPage		Temporarily impacts, 0.36 acres have good vegetation quality
200100767	C.B. Burke	W of Rt. 59 between Carriage Trail and Roslyn Road	DuPage	12	
200100836	Pasquinelli, Inc		DuPage		
200100885	Hamilton Partners	S of I-88 and W of Eob Road, Aurora	DuPage	7 areas	1 pond is linked to Indian Creek
200100987	Encap, Inc.	E and W of President St. between St. Charles St. and the Chicago and Northwestern railroad	DuPage	4.2	Many native species, varna soils
200101028	DuPage DOT		DuPage		
200101133	Cowey Gundmundson		DuPage		
200101139	Agincourt II		DuPage		
200101201	CivilTech		DuPage		
200101222	Ehorn Environmental		DuPage		
200101231	Dartmoor Homes		DuPage		
200101252	Northern Bldrs		DuPage		
200101262	Jaleco Construction		DuPage		
200101280	EnCap for DuPage Property Ventures, Inc.	Butterfield Development, Naperville Twshp/Aurora: T38N R9E Sec4	DuPage	N/A	Some on National Wetland Inventory
200200046	DePaulo Builders		DuPage		
200200145	Current Development		DuPage		
200000714	Ridge Realty		Kane		
200001056	Wispark Corp	Rt 72 and Randall Road, Elgin	Kane	0.95	

RAMS #	Applicant	Location*	County	Size (acres)*	Notes*
200100024	Menards, Inc.	NE corner of Bowes and Randall, Elgin	Kane	N/A	Menard Inc. were noted for violation but Corps didn't pursue case
200100066	Phoenix & Associates		Kane		
200100129	Encap, Inc. for Robin Hill Development Co.	S of Fabyan Pkwy, Section 12-13, t39N, R8E, Batavia	Kane	0.68	4.5 acre wetland - palustrine emergent and forested
200100159	Mustang Construction	1700-1900 block of W Dean St., St. Charles	Kane	0.5	Low vegetative quality wetlands
200100171	Brittany Homes	Gilberts	Kane	1.6	Depressional wetland peat or muck wetland
200100340	Encap, Inc.		Kane		
200100377		Tamms Property, Hampshire	Kane		
200100428	CBBEL/Neumann Homes	W of Deerpath Rd., between Seavy Rd. and Tanner Rd., North Aurora	Kane		Six farmed wetlands in a 450 acre project site
200100449	Borde, Howard		Kane		
200100453	Henderson & Bodwell		Kane		
200100552	Cowhey Gudmundson/FCL Builders and Bridge Dev.	Airport Rd., N of I-90 in Dundee Township, Elgin	Kane	0.69	Contains calcareous seeps and a forested fen
200100663	Encap, Inc.		Kane		
200100877	Manhard Consulting		Kane		
200100898	Encap, Inc.		Kane		
200100902	Encap, Inc.		Kane		
200101113	Encap, Inc.	Intersection of the Big Timber and Turrel rds, Elgin	Kane	0.3	Farmed wetlands
200200022	Huntley Venture		Kane		
199900732	Pete Wodarz	On Callahan Rd, Wauconda	Lake	0.5	After the fact permit request for irrigation pond and driveway
200000399	Al Valentine	Round Lake Industrial Park - addition #5	Lake	9 areas = 2.54	
200000408	Robert Hawkins, Patricia's Amish Furniture	41055 N. Rt 83, Antioch	Lake	0.13	
200000413	Yorkhouse LLC	SE corner of Delaney and Yorkhouse rds, Waukegan	Lake	0.65	
200000511	Phoenix & Assoc. for Good Shepherd United Methodist Church	28 acre parcel at SW corner of N Kruger Rd and Gilmer, Long Grove	Lake	3 areas = 2.17	Farmed wetlands
200000580	K Drayton		Lake		
200000665	Schaff International	Lake Zurich	Lake	0.65	
200000702	2401 Higgins Rd Corp.	20159 Rand Rd, Palatine	Lake	0.25	Wetland created by runoff from Rand Rd.
200000765	Conway Farms	I-294 and Rt 60, Lake Forest	Lake	0.27	
200000831	Nordic Properties	N of US 41 and W of Delaney Rd., Gurnee	Lake	0.06	Drainage swale
200000890	Katres/Kritokos	NW corner of Dilley's Road and Grand Ave., Gurnee	Lake	0.62	
200000934	SCST Corporation		Lake		

RAMS #	Applicant	Location*	County	Size (acres)*	Notes*
200001129	Phoenix & Assoc. for Consolidated School Dist 46	17 acres E of Hainesville Rd on IL Rte 120, Hainesville	Lake	4 areas = 2.04	Hydrophytic vegetation
200001164	R King & Associates	Island Lake	Lake	18.3	
200001167	Encap, Inc.	Village Church of Gurnee	Lake	1.8	
200100036	Westfield Homes	Between Sylvan Rd and Route 173	Lake	0.53	
200100042	Madrona Village LLC	Avon Township S of Round Lake	Lake	1.8	Low quality farmed wetland
200100198	Christopher B. Burke for Woodland School District	E of Hunt Club Rd. and 1/2 mile S of Rte. 132, Gurnee	Lake	0.8	Farmed wetland
200100239	John Patelopoulos	NW corner Gilager Ave and Dixie Hwy, Waukegan	Lake	2.35	
200100247	SDI Consultants for Belmont Corp.	SE corner of Buffalo Grove Rd. and Rte. 83, Buffalo Grove	Lake	0.13	
200100258	Lake Zurich, Village of	505 Tesler Rd., Lake Zurich	Lake	0.08	
200100286	Hey and Associates, Inc. for Century Development Group	Rte 45 NW 1/4 of Section15, Township 43 North, Range 11 East, Vernon Township	Lake	0.17	Low vegetative quality wetland
200100294	St. Francis de Sales Church	277 E. Main Street, Lake Zurich	Lake	1+	
200100298	Lake Co FPD	1/4 mile S of IL Rte 120, North Chicago	Lake	0.013	Palustrine, in Greenbelt Forest Preserve
200100301	Lake Co DOT	Washington St, Hanesville	Lake	3 areas = 0.72	Depressional wetland with tree fringe on border
200100312	Peak Construction	NE of Rte 134, W of Sunset Dr. N of Hart Rd., Round Lake	Lake	1.02	Depressional wetland
200100362		SE of intersection of Rte 22 and Prairie Rd., Vernon Township	Lake		Emergent marsh
200100369	Strand Associates		Lake		
200100382		Telegraph Rd., Lake Forest	Lake		Wooded wetland
200100410	CBBEL		Lake		
200100432		Magnolia Dr. and Black Oak Dr., unincorporated Antioch	Lake		Low to moderate vegetative quality
200100466	Intergrated Lakes Mgmt		Lake		
200100482	Integrated Lakes Mgmt		Lake		
200100485	V3 Consultants	Waukegan	Lake	0.78	
200100492	Hey & Associates		Lake		
200100541	Raisanen & Associates	Adjacent to Wooster Lake, Round Lake	Lake	10.53	
200100565	CBBEL	SW of Clover Hill Ln. and Rand Rd.	Lake	4.95	Seasonably flooded wetland
200100601	The Towne Company		Lake		
200100676		East Loon Lake	Lake		
200100678	Robert Wisie		Lake		
200100691	Rezek et al		Lake		
200100692	Environmental Planning/McClure Engineers	S of Washington St. and W of Green Bay Rd., Waukegan	Lake	0.211	
200100724	Hey & Associates		Lake		

RAMS #	Applicant	Location*	County	Size (acres)*	Notes*
200100793	Mostardi Platt	SW corner of Pershing and Dahringer roads, Waukegan	Lake	N/A	A former tar pit that was located in the area is clearly visible water flows
200100845	Gewalt-Hamilton		Lake		
200100860	Nat Areas Ecosystem	Stearnes School and Fullerton	Lake		Plentiful species (wetland dependent)
200100883	CBBEL		Lake		
200100913	D Connolly	Quentin Road Subdivision	Lake	2.7	2 Areas of farmed wetland, 1 farmed wetland in the western section 4 pockets of wetlands vegetation
200100932	Manhard Consulting	Riverside Foundation; W of Elin Rd. and N of Rt. 22, Riverwoods	Lake	1.5	Wooden uplands, part of a larger wetland area
200100962	Hey & Associates		Lake		
200100993	Northbrook Sports		Lake		
200100995	Lewis Del Conte		Lake		
200101018	Harvest Glen Subdvin		Lake		
200101051	V3 Consultants		Lake		
200101095	BG Engineering		Lake		
200101107	Campbell International	Parcel 1 lot 5 Kent Ave., Waucanda	Lake	3	Vacant property near residential areas
200101154	Drake, Dennis		Lake		
200101288	Flex Construction		Lake		
200200029	Thomas. Ron		Lake		
200200032	Manhard Consulting		Lake		
2.001E+09		Vernon Hills Park District Property	Lake		
199600666	Cunat Brothers		McHenry		
199700520	Bull Valley Green LLC		McHenry		
199900304	Pulte Homes Corps		McHenry		
200000024	Pieper, Kenneth		McHenry		
200000323	SDI Consultants for Opfer & Stuckmann Construction	81 acre Wede Farm - Algonquin Rd 1/3 mi W of Algonquin Rd and Square Barn Rd	McHenry	2 areas = 11.55	Unfarmed wetland has some nice conservative species but overall low quality
200000746	Residential Homes		McHenry		
200000832	Condon Consulting Eng.	118 acre parcel, W of Walkup Rd, N of Rt 176, Crystal Lake	McHenry	6 areas = 1.46	
200100149	Wayne Berman	NE Quarter of Section 29, T44N, R9E, Fox River, Roberts Road	McHenry	N/A	
200100271	McHenry County Highway Department	S of Nelson Rd., Hartland Township	McHenry	0.5	
200100287	Planning Resources		McHenry		
200100462	Taurus Engineering		McHenry		
200100500	Encap, Inc.		McHenry		
200100535	O&S Development		McHenry		
200100595	Encap, Inc.		McHenry		
200100608	Finnberg, Peder	SW Corner of Bard and Huntly Rd., Crystal Lake	McHenry	N/A	
200100782	Planning Resources		McHenry		

RAMS #	Applicant	Location*	County	Size (acres)*	Notes*
200100797	CBBEL		McHenry		
200100825	V3 Consultants		McHenry		
200100886	CBBEL		McHenry		
200100905	Krueger, Lawrence		McHenry		
200101009	Encap, Inc.		McHenry		
200101019	Raisanen & Assoc		McHenry		
200101272	Lada, William		McHenry		
200101307	Planning Resources		McHenry		
199800968	Heineke & Assoc		Will		
199900266	Duke Realty Investment		Will		
200000382	Crest Hill	Crest Hill	Will	0.228	Endangered Species, Hine's Emerald Dragonfly, Spotted turtle, Blanding's Turtle
200000690	Burke Eng for MAF Development	W of Rte. 59, S of 95th St and N of 103rd St., Naperville	Will	0.45	Farm field, possible historic site
200000844	Jim Hayes-contractor for Carl Michaelsen	15851 W 159 St., Lockport	Will		
200000844	Michaelsen, Carl		Will		
200000927	Miller, Ken		Will		
200001087	Corum Real Estate Grp	Browning Property, SW Interestecction of I-55 and Naperville Rd	Will	4 areas = 0.86	Filling in parts of 1 and 4 but leaving rest untouched
200001108	Encap, Inc.	Due W and N of Stateville State Prison	Will	N/A	~1 mi from Lockport Nature Preserve. Study done on possible water quantity impact
200100064	Encap, Inc. for United States Gypsum Co.	Between Dralled Rd. and Industrial Dr., University Park	Will	0.6	Farmed wetland, wanted for archaeological excavation
200100065	Lakewood Homes		Will		
200100131	James E. Lawson	12835 W. Smith Rd., Manhattan	Will	N/A	
200100235	Greenberg Farrow Arch	SW corner of Jefferson St. and Larkin Ave., Joliet	Will	1.31	Dominant vegetation list includes Lambs Quarter, Daisy Fleabane, Common milkweed, tall goldenrod, squirrel tail grass, crested oval sedge
200100260	Bill French, Roland Homes	Amber Fields, Either Side of Will/Kendall Line, S of airfield	Will	1.1	Farmed wetlands
200100265	Fred & Donna Pierce	320 Munz Rd., Crete	Will	N/A	
200100303	Roake & Assoc	Sutton Place Subdivision, Naperville	Will	0.26	Human made pond
200100390	CBBEL	Rte. 59 and 103rd St., Naperville	Will	3 areas	
200100425	Encap, Inc.	Ramey Parcel, Romeoville	Will	N/A	Farmland with a wetland
200100454	C.B. Burke	Bolingbrook	Will	2.3	Highly eroded Soil
200100455	Pasquinelli Development Group	Weisbrook Property, Bolingbrook	Will	0.9	Two wetlands exist on property
200100459	CBBEL		Will		
200100473	CBBEL	S of Boughton Rd., Bolingbrook	Will	0.25	
200100476	V3 Consultants		Will		

RAMS #	Applicant	Location*	County	Size (acres)*	Notes*
200100550	Encap, Inc. for Sharon Bown	Southside of Soldiers Widows, Home Road, Just W of Lincoln Lane	Will		
200100598	Environmental Planning	Brooks Meadow property, Franfurt	Will	0.8	Farmed wetland
200100606	Equipose	Stadtler Ridge Subdivision, Homer Township	Will	1	
200100618	Encap, Inc.		Will		
200100619	CBBEL		Will		
200100738	Durkin, Thomas		Will		
200100759	Shell, Mark		Will		
200100826	J Kintz		Will		
200100828	Bridge Development Partners, LLC	Davy Road Property, Bolingbrook	Will	0.3	
200100831	Hey & Associates	Layoie-Book Road property, Naperville	Will	0.38	Generally good vegetation, residential community nearby
200100900	JF New	NW of 104th St. and 224th St., Wheatfield Township	Will	17.1	On a farm
200100945	CBBEL		Will		
200100948	Accent Construction		Will		
200100952	Amlı Realty	Plainfield Business Park S of 143rd St., E of US 30	Will		Farmed wetlands
200101032	CBBEL		Will		
200101035	Planning Resources		Will		
200101052		Barr Property, Channahon	Will		3 Areas, good quality
200101114	Ruettiger, Tonelli	W of Holhoubolt Rd and S of I-80, Channahon	Will	N/A	Bordered on the south by railroad beds, emergent wetland, with a seasonal water regime
200101294	Engineering Consult		Will		
200200044	JF New		Will		
200200077	Straus, Albert		Will		

* Location, Size (acres), and Notes were not provided by the Corps in fulfilling the Sierra Club's original FOIA request. These data were obtained during two subsequent investigations of the original files housed at the Corps' Chicago District office.

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