

**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 vs. U.S. ARMY CORPS OF ENGINEERS**

DISTRICT OFFICE: U.S. Army Corps of Engineers, Sacramento District  
FILE NUMBER: 200400917

REGULATORY PROJECT MANAGER: Andrea Jones DATE: March 2, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the Office (y/n) Y Date: March 2, 2006  
At the project site (y/n) N

**PROJECT LOCATION INFORMATION:**

State: California  
County: Placer  
Center coordinates of site by latitude & longitude coordinates: Latitude 038° 47' 36.7", Longitude 121° 11' 52.8"  
Approximate size of site/property (including uplands & in acres): 60 acres  
Name of waterway or watershed: Sacramento River

**SITE CONDITIONS:**

Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	0.06 ac								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other Water (identify type)									

<sup>1</sup>Check 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 <sup>1</sup>	If Known		If Unknown (Use Best Professional Judgement)		
	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?		x			
Is or would be used as habitat by other migratory birds that cross state lines?		x			
Is or would be used as habitat for endangered species?				Isolated seep is not expected to provide habitat for federally listed species.	
Is used to irrigate crops sold in interstate commerce?		x			

<sup>1</sup>Check 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 √

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): The 0.06 acre seep shown on the Appendix C, Wetland Delineation Map for Hartwick Property, shows no significant hydrologic nexus to the wetlands and other waters of the United States on the Hartwick site or adjacent properties. The feature is also approximately 325 feet from any other jurisdictional water and is therefore not considered jurisdictional based on adjacency. The other 1.73 acres of waters on the project site are tributary to Secret Ravine. Secret Ravine is a tributary to Miners Ravine. Miners Ravine is a tributary to Dry Creek. Dry Creek is a tributary to the Natomas East Main Drainage Canal (NEMDC). The NEMDC is a tributary to the Sacramento River. The Sacramento River is a navigable water of the United States.