

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: 200500009

REGULATORY PROJECT MANAGER: Andrea Jones DATE: March 3, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the Office (y/n) Y Date: March 3, 2006
At the project site (y/n) N

PROJECT LOCATION INFORMATION:

State: California
County: Placer
Center coordinates of site by latitude a & longitude coordinates: Latitude 038° 56' 17.4", Longitude 121° 07' 3.86"
Approximate size of site/property (including uplands & in acres): 80 acres
Name of waterway or watershed: Coon Creek, Sacramento River watershed

SITE CONDITIONS:

Type of aquatic resource ¹	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	0.04 ac								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other Water (identify type)									

¹Check 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 ¹	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?			Migratory birds may use seasonal wetland habitat for foraging.		
Is or would be used as habitat by other migratory birds that cross state lines?			Migratory birds may use seasonal wetland habitat for foraging.		
Is or would be used as habitat for endangered species?				The seasonal wetland does not provide suitable habitat for any of the threatened and endangered speies for the area at the time of review.	
Is used to irrigate crops sold in interstate commerce?		x			

¹Check 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): Based on aerial photos and topographic conditions indicated on the delineation map, the 0.04 acre seasonal wetland does not appear to have a significant hydrologic nexus to other jurisdictional wetlands and waters of the United States on the Atwood site or adjacent parcels. Since the distance from other jurisdictional features is slightly over 300 feet and the vegetation characterizing the area is not at all alike (see data sheets 1 and 9 in July 8, 2004 delineation report), the 0.04 acre seasonal wetland was not considered to be jurisdictional on the basis of adjacency. This wetland is therefore considered to be isolated and intrastate.