

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: 200500609

REGULATORY PROJECT MANAGER: Anna Sutton DATE: June 29, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the Office (y/n) N
At the project site (y/n) Y Date: April 25, 2006

PROJECT LOCATION INFORMATION:

State: California
County: Sacramento
Center coordinates of site by latitude & longitude coordinates: Latitude 38° 43' 26.0", Longitude 121° 26' 22.3"
Approximate size of site/property (including uplands & in acres): 24 acres
Name of waterway or watershed: Natomas East Main Drainage Canal

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									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool	0.232 ac								
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?			√		
Is or would be used as habitat by other migratory birds that cross state lines?					√
Is or would be used as habitat for endangered species?					√
Is used to irrigate crops sold in interstate commerce?					√

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): The vernal pools identified as VP 11, 15 - 17, 26 - 33, and 63 - 77 are hydrologically isolated features that do not flow into a larger system. The comprise a total acreage of 0.232 acre within 4 distinct positions of the 24 acre site. Ducks have been seen utilizing the VP's within the Elverta area and would likely utilize these pools for resting. The site has been used to graze cattle, but no information is available regarding the interstate sale of livestock grazed on this property.