

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: 200500787

REGULATORY PROJECT MANAGER: Anna Sutton DATE: July 20, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the Office (y/n) N
At the project site (y/n) Y Date: May 18, 2006

PROJECT LOCATION INFORMATION:

State: California
County: Sacramento
Center coordinates of site by latitude & longitude coordinates: Latitude 038° 40' 54.7", Longitude 121° 29' 19.0"
Approximate size of site/property (including uplands & in acres): 133.75
Name of waterway or watershed: East 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	0.08 ac								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool	0.317 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): Generally onsite wetlands flow north and west to exit the site into the East Drainage Canal. The features labeled as V8 - V17, V32, DSW5, DSW7 - DSW9, and DSW11 are micro-depressional features that do not overflow their boundaries or connect to other hydrologic features. The general Panhandle site contains burrowing owls, but it is not known if the owls are present on the Krumenacher property. Also, the site may contain vernal pool fairy shrimp. The Krumenacher property provides forage for cattle, although no information is known on potential interstate commerce of the livestock.