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 V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Seattle

FILE NUMBER: 200501159

REGULATORY PROJECT MANAGER: Glenn **Date:** December 14, 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office ☐ Yes ☐ No Date: ____
At the project site ☒ Yes ☐ No Date: 10/24/2005

PROJECT LOCATION INFORMATION:
State: Washington
County: Snohomish
Center coordinates of site by latitude & longitudinal coordinates: 47-52-14.0 / 122-7-54.99
Approximate size of site/property (including uplands & in acres): 70 acres
Name of waterway or watershed: Snohomish 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	☒	☐	☐	☐	☐	☐	☐	☐	☐
Slough	☐	☐	☐	☐	☐	☐	☐	☐	☐
Prairie pothole	☐	☐	☐	☐	☐	☐	☐	☐	☐
Wet meadow	☐	☐	☐	☐	☐	☐	☐	☐	☐
Playa lake	☐	☐	☐	☐	☐	☐	☐	☐	☐
Vernal pool	☐	☐	☐	☐	☐	☐	☐	☐	☐
Natural pond	☐	☐	☐	☐	☐	☐	☐	☐	☐
Other water (identify type) _____	☐	☐	☐	☐	☐	☐	☐	☐	☐

[1]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[1]:	If Known		If Unknown Use Best Professional Judgment		
	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?	☐	☒	☐	☐	☐

[1]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: Wetlands A, F, and H are adjacent to unnamed tributaries (ditches) ot Outcrop Creek. Outcrop is a tributary of the Snohomish River, a designated navigable waterway used for interstate and foreign commerce. Wetlands A, F, H are jurisdictional. Wetlands G, I, and R, S, and T have no surface water connection to other waters of the U.S. and are considered isolated and non-jurisdictional.