

**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:** 200600287

**REGULATORY PROJECT MANAGER:** Randel Perry **Date:** 4/4/06

**PROJECT REVIEW/DETERMINATION COMPLETED:** **In the office** \_Y\_ (Y/N) **Date:** \_\_\_\_\_  
**At the project site** \_Y\_ (Y/N) **Date:** 3/27/06

**PROJECT LOCATION INFORMATION:**  
**State:** Washington  
**County:** Skagit  
**Center coordinates of site by latitude & longitudinal coordinates:** Lat 48° 24' 52.4" Long.122° 18' 08.8"  
**Approximate size of site/property (including uplands & in acres):** 7 acres  
**Name of waterway or watershed:** Maddox Creek

**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	X								
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 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?	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?				X	
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** X.

**ADDITIONAL INFORMATION SUPPORTING NJD:** Site is currently an undeveloped lot. Surrounding vicinity has been extensively developed for residential use. The site is bounded on the north and east sides by private residences, on the west by South 30<sup>th</sup> Street, and on the south side by Section Street. The 7-acre site is rectangular with the terrain sloping down from north to south. Most of the property has been previously manipulated (tilled, mowed, etc.) for historic agricultural use. A stormwater drainage ditch runs down the western border on the southern half of the property. Total acreage of wetlands on site is 1.02 acres; wetland E does not have a surface water connection to other navigable or interstate waters of the U. S or tributaries of waters of the U. S. This wetland is not used for interstate commerce including recreational activities, commercial fishing activities, or used for industrial purposes. Wetlands B, C, D, and F are adjacent to ditch A, tributary of Maddox Creek., which flows into the Skagit River, a designated navigable waterway These wetlands are jurisdictional.