

**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:** 200500227 \_\_\_\_\_

**REGULATORY PROJECT MANAGER:** Ron Klump \_\_\_\_\_ **Date:** 22 November 2005

**PROJECT REVIEW/DETERMINATION COMPLETED:** In the office \_\_ (N) **Date:** \_\_\_\_\_  
 At the project site \_\_ (Y) **Date:** 15, 17, and 21 November 2005

**PROJECT LOCATION INFORMATION:**  
 State: Washington \_\_\_\_\_  
 County: Clark \_\_\_\_\_  
 Center coordinates of site by latitude & longitudinal coordinates: 45 -42' -03" - 122 -41' -55  
 Approximate size of site/property (including uplands & in acres): 50.97 acres \_\_\_\_\_  
 Name of waterway or watershed: Curtin 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**

Paragraph 1 – Project area contains 8.11 acres of isolated wetlands. Also, with approximately 10 acres of isolated wetlands are located off site. Grading and leveling in the isolated wetlands has already occurred and all isolated wetlands are likely to be further filled/developed for a subdivision.

Paragraph 2-3 – The isolated wetlands are bordered on all sides by uplands and have no connections to a water of the U.S. by any streams, ditches, other wetlands, pipes, or upland swales.

Paragraph 4. – 4.73 acres of jurisdictional (adjacent) wetlands occur on site with approximately 15 additional acres of the wetland complex extending off site. Approximately 3.07 acres of the jurisdictional wetlands have unauthorized fill and will require restoration or an after-the-fact permit.