

**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: 200500299 _____

REGULATORY PROJECT MANAGER: Ron Klump _____ **Date:** 3 March 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office __ (N) **Date:** _____
 At the project site __ (Y) **Date:** 1 March 2005

PROJECT LOCATION INFORMATION:
 State: Washington _____
 County: Clark _____
 Center coordinates of site by latitude & longitudinal coordinates: 45 -35'-34.95" - 122 -27' -6.86"
 Approximate size of site/property (including uplands & in acres): 7.82 acres _____
 Name of waterway or watershed: Dwyer Creek

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	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
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 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	

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 X.

ADDITIONAL INFORMATION SUPPORTING NJD

Paragraph 1 – Project area contains a single 0.04 of an acre isolated wetland that occurs entirely within the property boundary. The entire 0.04 of an acre wetland is proposed to be filled.

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

Paragraph 4. – Approximately 0.42 of an acre of jurisdictional wetlands occurs onsite. The applicant proposes to fill the entire 0.42 of an acre of water of the U.S. The JD is an approved JD.