

**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: 200500860

REGULATORY PROJECT MANAGER: Tim Erkel **Date:** 8-18-05

PROJECT REVIEW/DETERMINATION COMPLETED: In the office _N_ **Date:** _____
 At the project site _Y_ **Date:** 7-2-02

PROJECT LOCATION INFORMATION:
 State: Washington
 County: Benton
 Center coordinates of site by latitude & longitudinal coordinates: 46 14 59/119 17 47
 Approximate size of site/property (including uplands & in acres): 1.2 acres
 Name of waterway or watershed: Yakima River

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: Site conditions; The project area wetland is created by the surfacing of irrigation water and possibly natural springs located on a bench approximately 1/2 mile from the Yakima River.

Rationale used to determine NJD: The wetland is surrounded by residential development to the north and west, and by vacant land to the east and south. There is no open water within the wetland, and there is no surface connection to any tributary to waters of the US. The only connection to interstate commerce that this wetland could have would be use by migratory bird.

Site information on waters of the U.S. occurring onsite: There are no waters of the US on this site.