

**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:** Detroit District

**FILE NUMBER:** 04-171-018-0

**Date** October 7, 2004  
:

**PROJECT REVIEW/DETERMINATION  
COMPLETED:**

**In the office  
(Y/N)**

**N** **Date**  
:

**At the project  
site (Y/N)**

**Y** **Date** Octo  
ber  
7,  
2004

**PROJECT LOCATION INFORMATION:**

State: Indiana  
 County: St. Joseph  
 Center coordinates of site by latitude & longitude coordinates: lat:41-41-48.0480 lon:86-15-13.1040  
 Approximate size of site/property (including uplands) in acres  
 Name of waterway or watershed: Isolated Wetlands

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									
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** (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite):

Four wetlands were inspected during the site inspection. The wetlands were determined to be isolated because there was no nexus to navigable waters or their tributaries. They are on the backside of the bluff overlooking the St. Joseph River and local topography drains toward the wetlands, not toward the river. This is confirmed by a drainage symbols on the Soil Survey map of the site.

**TALLY Of Wetland Acreage:**

**Jurisdictional Waters: 0.00 acres**

**Isolated Waters not under COE Jurisdiction:**

**Wetland A: <1 acres\***

**Wetland B: <1 acres\***

**Wetland C: <1 acres\***

**Wetland D: <1 acres \***

**Total: <4 acres isolated per the SWANCC Supreme Court Decision**

\* Consultant did not flag these wetlands because they were isolated. I do not know their acreage. They were all relatively small.