

**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:** 04-176-016-0

**Date** October 22,  
: 2004

**PROJECT REVIEW/DETERMINATION COMPLETED:**

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

**N Date**  
:

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

**Y Date** 21  
: Octo  
ber  
2004

**PROJECT LOCATION INFORMATION:**

State: Indiana  
 County: Steuben  
 Center coordinates of site by latitude & longitude coordinates: lat:41-38-30.3360 lon:85-2-31.0920  
 Approximate size of site/property (including uplands) in acres: 30 acres  
 Name of waterway or watershed: Buck Lake

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):

I verified that the submitted work was accurate. Wetland Section IV (0.07 acres) was isolated (closed depression in an upland woodlot on a bench overlooking Buck Lake, in glacial moraine landscape, with no surface flows out of the wetland). The other wetlands are either contiguous to Buck Lake or contiguous to natural drainageways that lead to Buck Lake. Buck Lake itself is connected via channels through other neighboring lakes to Fawn Creek, which is part of the tributary system of the St. Joseph River, a navigable water of the US.

**TALLY Of Wetland Acreage:**

**Jurisdictional Waters: 6.94 acres**

**Isolated Waters not under COE Jurisdiction:**

**Wetland IV: 0.07 acres**

**Total: 0.07 acres isolated per the SWANCC Supreme Court Decision**