

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 February 24, 2006

FILE NUMBER: 05-171-030-0

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Y Date February 10, 2006

At the project site (Y/N) Y Date February 14, 2006

PROJECT LOCATION INFORMATION:

State: Indiana
 County: St. Joseph
 Center coordinates of site by latitude & longitude coordinates: lat:41-43-7.3200 lon:86-22-22.9080
 Approximate size of site/property (including uplands) in acres 80 Acres
 Name of waterway or watershed: Kankakee

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					X				
River									
Stream									
Mudflat									
Sandflat									
Wetlands									
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			
¹ 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: **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 met with the consultant from Lang, Feeney and Associates to review the approximate 80-acre site. A portion of Augustine Lake, along the southwestern end of the property, has been flagged and labeled wetland ("Wetland A") by the consultant. The remainder of Augustine Lake extends beyond the boundaries of this property. This Lake can be described as a "kettle", dominated by emergent vegetation. No water was observed in the Lake at the time of inspection. It was determined that Augustine Lake is hydrologically isolated from other wetlands/waters of the United States and is, therefore, not within Corps jurisdiction.