

**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 July 26, 2005

FILE NUMBER: 05-120-014-0

PROJECT REVIEW/DETERMINATION COMPLETED: **In the office (Y/N)** N **Date:**

At the project site (Y/N) Y **Date:** 30 June 05

PROJECT LOCATION INFORMATION:

State: Indiana

County: Elkhart

Center coordinates of site by latitude & longitude coordinates: lat:41-41-4.5240 lon:85-50-3.1200

Approximate size of site/property (including uplands) in acres: 16.0

Name of waterway or watershed: Isolated Wetlands

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									
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	
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: **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):

All four of the wetlands on site (Wetland A, B, D, E) were found to be isolated in nature and not under Corps jurisdiction. They all exist in large depressional areas overall on the property. The four wetlands on site total approximately 7.73 acres. All of the wetlands have some acreage located off of the site as well. Wetland C was located completely off of the property in question just to the south. Wetland C also appeared isolated in nature.