

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: Huntington
 FILE NUMBER: 200400791

REGULATORY PROJECT MANAGER: Stan Walker Date: September 16, 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: September 16, 2004
 At the project site Y (Y/N) Date: July 15, 2004

PROJECT LOCATION INFORMATION:

State: Ohio
 County: Delaware
 Center coordinates of site by latitude & longitudinal coordinates: 40.2263101557523/ -82.9562979151083
 Approximate size of site/property (including uplands & in acres): 83 acres
 Name of waterway or watershed: Scioto

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								359	
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
<u>Man-made Pond</u>									

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.

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

During a site investigation conducted on July 15, 2004 by Mr. Stan Walker of this office, it was determined Upland Site 3 (UPL-3) is a break in the surface connection of stream #3, which excludes stream segment D-3A1 to D-3A from being jurisdictional, thus decreasing the total jurisdictional stream length to 1,052 linear feet.