

ISOLATED DETERMINATION INFORMATION SHEET

(To be included with file copy when isolated wetlands/waters on site)

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: CE-SAW
 FILE NUMBER: 200420005

REGULATORY PROJECT MANAGER: Alsmeyer Date: 2/17/2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office N (Y/N) Date: _____
 At the project site Y (Y/N) Date: 6/17/2004

PROJECT LOCATION INFORMATION:
 State: North Carolina
 County: Durham
 Center coordinates of site by latitude & longitudinal coordinates: N. 35.969 W. 78.853
 Approximate size of site/property (including uplands & in acres): 21280.00 acres
 Name of waterway or watershed: Northeast and Little Lick Creeks

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									
Dry Wash									
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	

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):
Wetland Nos. W-5, W-11, W-13 & W-17 have been determined to be isolated, depressional wetlands, with no surface water conn. to waters of the US. Feature Nos. W-10, W-36, W-37 & W-38 are ponds that were dug out of high ground with no regulated channels. Therefore, these wetlands and ponds are not regulated under Sect. 404 of the Clean Water Act.

