

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: San Francisco District

FILE NUMBER: SPN-2013-00149S

REGULATORY PROJECT MANAGER: K. Galacatos

Date: 30 Nov. 2015

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

Date:

At the project site (Y/N) Y

Date: June 20, 2013

PROJECT LOCATION INFORMATION:

State: California

County: Alameda

Center coordinates of site by latitude & longitude coordinates: lat: 37.5397°N, long: -122.0769°W

Approximate size of site/property (including uplands) in acres: 70 Acres

Name of waterway or watershed: San Francisco Bay

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									
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water - Quarry Lake			X						
Other Water - Dewatering pond w/wetland fringe		X							

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: Approved

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):



U.S. Army
Corps of Engineers
San Francisco District
Regulatory Division

Approved Jurisdictional Determination
SPN-2013-00149S
Dumbarton Quarry, Fremont
Alameda County, California
(lat: 37.5397°N, long: -122.0769°W).

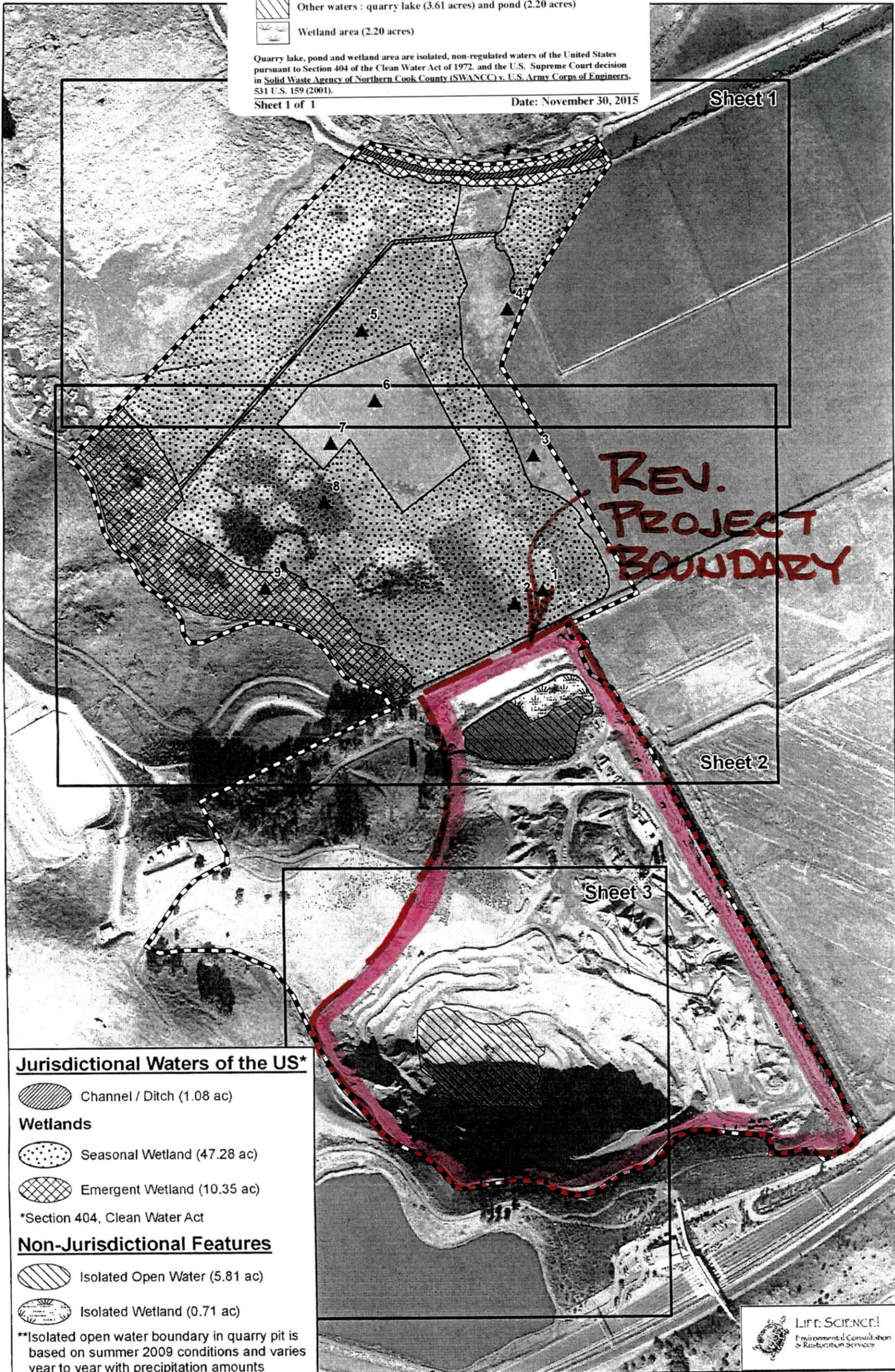
- Project Boundary
- Other waters : quarry lake (3.61 acres) and pond (2.20 acres)
- Wetland area (2.20 acres)

Quarry lake, pond and wetland area are isolated, non-regulated waters of the United States pursuant to Section 404 of the Clean Water Act of 1972, and the U.S. Supreme Court decision in *Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001).

Sheet 1 of 1

Date: November 30, 2015

Sheet 1



Jurisdictional Waters of the US*

Channel / Ditch (1.08 ac)

Wetlands

Seasonal Wetland (47.28 ac)

Emergent Wetland (10.35 ac)

*Section 404, Clean Water Act

Non-Jurisdictional Features

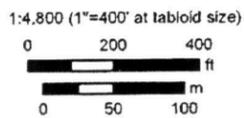
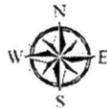
Isolated Open Water (5.81 ac)

Isolated Wetland (0.71 ac)

**Isolated open water boundary in quarry pit is based on summer 2009 conditions and varies year to year with precipitation amounts

- Soil Test Pits
- Project Boundary

Data Sources: Air photos (USGS 2004);
Field Delineation (Life Science 2010)
Map Produced by Wetlands & Water Resources, May 2010
Map File: dumbarton-jd-overview_BP_1160_2010-0511lee.mxd



**JURISDICTIONAL WATERS OF THE US
SHEET LOCATOR**

Dumbarton Quarry Project
Alameda County, CA

May 2010

Project No. 1160

Figure 2

