

**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: 2007-400458N
REGULATORY PROJECT MANAGER: Matsumoto **Date:** January 17, 2008

PROJECT REVIEW/DETERMINATION COMPLETED: In the office N
 At the project site Y **Date:** June 19, 2007

PROJECT LOCATION INFORMATION:
 State: CA
 County: Solano
 Center coordinates of site by latitude & longitudinal coordinates: 38.2826 -121.9707
 Approximate size of site/property (including uplands & in acres): 44.77
 Name of waterway or watershed: Suisun Bay

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: Approved

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): The wetlands on site are topographically isolated because they are surrounded by higher ground, with no channels or other water conveyance to drain them. It is unlikely that that the wetlands would ever contain enough water to overtop the rim of the pools and connect via sheet flow to a water of the U.S. There is no possibility of any navigation or interstate commerce connection due to the small size, poor quality, and location of the wetlands.