

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: 2007-00830
REGULATORY PROJECT MANAGER: Smith **Date:** 8 July 2008
PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) N **Date:**
 At the project site (Y/N) Y **Date:** 31 Jan 2008

PROJECT LOCATION INFORMATION:

State: California
 County: San Mateo
 Center coordinates of site by latitude & longitude coordinates: 37.53 N -122.34
 Approximate size of site/property (including uplands) in acres: 17
 Name of waterway or watershed: Polhemus Creek

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			

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): **Polhemus Creek is a direct tributary to San Mateo Creek which flows into San Francisco Bay a TNW. The isolated wetland, W1, is a 0.02 acre depressional wetland that is perched on a bench 0.2 mile away from and above Polhemus Creek. There is no evidence of flow out of the depression, and no physical connection to Polhemus Creek. There is no physical evidence of subsurface flow on the site. In addition the depression is too small to hold sufficient water for any subsurface flow from the depression to reach the Creek which is 0.2 mile away. The depressional wetland retains a minor amount of runoff. The aquatic functions of this wetland are insignificant.**