

**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: CESPL
 FILE NUMBER: 200100630

REGULATORY PROJECT MANAGER: Jae Chung Date: 6/7/04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office N (Y/N) Date: _____
 At the project site Y (Y/N) Date: 9/15/99

PROJECT LOCATION INFORMATION:
 State: California
 County: Orange
 Center coordinates of site by latitude & longitudinal coordinates: 33-54-16/117-56-56
 Approximate size of site/property (including uplands & in acres): 520 acres
 Name of waterway or watershed: Brea Creek Watershed

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 .

ADDITIONAL INFORMATION SUPPORTING NJD:

The total site is about 520 acres. The water features is a 0.12 acre depressional willow/mulefat wetland totally contained within the project site, all of which is proposed to be filled. On the project site, there are 8 features consisting of 7 jurisdictional ephemeral streams totaling about 0.22 acre and the single non-jurisdictional depressional water feature.

The site is about 400 feet from the nearest tributary to a navigable water. Due to the distance from the tributary, the 0.12 acre wetland was considered non-jurisdictional. The site still has 0.22 acre of non-wetland waters of the U.S. consisting of ephemeral streams.