

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: Los Angeles District

FILE NUMBER: 200500189-CLM

REGULATORY PROJECT MANAGER: Crystal L. Marquez **Date:** December 20, 2004

PROJECT REVIEW/DETERMINATION COMPLETED: **In the office (Y/N)** Yes **Date:** December 20, 2004
At the project site (Y/N) No **Date:** _____

PROJECT LOCATION INFORMATION:

State: California

County: Riverside

Center coordinates of site by latitude & longitudinal coordinates: 33-56-13 N; 117-11-24 W

Approximate size of site/property (including uplands & in acres): 18.66 acres

Name of waterway or watershed: San Jacinto 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

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

There is a small culvert constructed beneath the 60 freeway that drains onsite at the northern boundary of the property. Flows from the culvert have created a narrow swale located approximately 200 feet from Fir Street. Based upon the lack of flow and the condition of the riparian species, the flows appear to have been diverted from the culvert by the development of the 60 freeway. There is no physical or hydrological connection with the swale to any navigable water body or tributary to a navigable water body.