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: Memphis
FILE NUMBER: MVM-2004-873-RM

REGULATORY PROJECT MANAGER: Richard Mochow **Date:** Feb. 7, 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office __ (Y/N) Date: _____
At the project site Y (Y/N) Date: Feb. 4, 2005

PROJECT LOCATION INFORMATION:

State: Missouri
County: Stoddard
Center coordinates of site by latitude & longitudinal coordinates: 36.6503/-90.0930
Approximate size of site/property (including uplands & in acres): 1.4 acres/73.7 acres
Name of waterway or watershed: unnamed trib. of St. Francis River

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									
Slough		X							
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type) _____									

[1]Check 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			

[1]Check 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): The site was visited. It had two parts Plot 1 is a wooded wetland with a slough flowing through it. There is an OHW in the slough. Plot 2 continues downstream into what appears to be a slough, which the NRCS delineator referred to as a "drainageway which had no woody vegetation growing on it post 1984. FSA didn't include it in the cropping history and can't be delineated under the FSA Manual, although it appeared to have been farmed. This Plot does not fit the 1987 Corps Manual and is not considered a water of the US.