

**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: Nashville
FILE NUMBER: 2003-01745

REGULATORY PROJECT MANAGER: Mark Carnes **Date:** 19 March 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: _____
 At the project site Y (Y/N) Date: 19 March 2004

PROJECT LOCATION INFORMATION:

State: Kentucky
County: Todd
Center coordinates of site by latitude & longitudinal coordinates: lat 36-38-54 long 87-09-43.5
Approximate size of site/property (including uplands & in acres): 3/4 acres
Name of waterway or watershed: Red 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	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 X Or 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):

No nexus to interstate commerce.

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 COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

DISTRICT OFFICE: Nashville
FILE NUMBER: 990008540

REGULATORY PROJECT MANAGER: Carl Olsen **Date:** 14 April 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office __ (Y/N) **Date:** _____
 At the project site Y (Y/N) **Date:** 24 Mar 2004

PROJECT LOCATION INFORMATION:

State: Tennessee
County: White
Center coordinates of site by latitude & longitudinal coordinates: lat 36-3-21 lon 85-31-31
Approximate size of site/property (including uplands & in acres): ± 328 ac total
Name of waterway or watershed: Falling Water 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				xx					
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?	xx				
Is or would be used as habitat by other migratory birds that cross state lines?	xx				
Is or would be used as habitat for endangered species?				xx	
Is used to irrigate crops sold in interstate commerce?		xx			

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 xx Or 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):

Excess hydrology from the wetlands drains down grade to a sinkhole (no further surface connection to waters of the U.S.) with no identifiable connection to navigable waters of the U.S.

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DISTRICT OFFICE: Nashville
FILE NUMBER: 2004-00509

REGULATORY PROJECT MANAGER: Kathleen Kuna **Date:** 12 April 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: _____
 At the project site Y (Y/N) Date: 22 March 2004

PROJECT LOCATION INFORMATION:

State: Tennessee
County: Williamson
Center coordinates of site by latitude & longitudinal coordinates: N 35-53-04 W 87-07-45.9
Approximate size of site/property (including uplands & in acres): 1.21 acres
Name of waterway or watershed: Harpeth River 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 X Or 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):

The only water on site other than rainfall is stormwater drainage from adjacent subdivision. All flow stops on opposite side of road in another field. No outflow from site.

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DISTRICT OFFICE: Nashville
FILE NUMBER: 2004-00481

REGULATORY PROJECT MANAGER: Kathleen Kuna **Date:** 12 April 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: _____
 At the project site Y (Y/N) Date: 18 March 2004

PROJECT LOCATION INFORMATION:
 State: Tennessee
 County: Rutherford
 Center coordinates of site by latitude & longitudinal coordinates: N 35-52-15.3 W 86-22-09.5
 Approximate size of site/property (including uplands & in acres): 1.21 acres
 Name of waterway or watershed: Harpeth River 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 X Or 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):

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DISTRICT OFFICE: Nashville
FILE NUMBER: 2004-00479

REGULATORY PROJECT MANAGER: Amy Robinson **Date:** 7 April 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: _____
 At the project site Y (Y/N) Date: 23 March 2004

PROJECT LOCATION INFORMATION:

State: Tennessee
County: Williamson
Center coordinates of site by latitude & longitudinal coordinates:
Approximate size of site/property (including uplands & in acres): 50 acres
Name of waterway or watershed: Goose Creek – Harpeth 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	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 X Or 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):

Small depressional areas within a large cattle pasture. Shrub/scrub vegetation present within small areas. Flagging in field determined both areas less than 0.10 acres. The wetland areas wer not adjacent to other waters of U.S. and was no nexus to interstate commerce present on-site. Also no hydrological connection was observed.

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DISTRICT OFFICE: Nashville
FILE NUMBER: 2004-00370

REGULATORY PROJECT MANAGER: Mark Carnes **Date:** 4 March 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: _____
 At the project site Y (Y/N) Date: 4 March 2004

PROJECT LOCATION INFORMATION:
 State: Tennessee
 County: Sumner
 Center coordinates of site by latitude & longitudinal coordinates: lat 36-16-14 long 86-35-00.2
 Approximate size of site/property (including uplands & in acres): 1/4 acre
 Name of waterway or watershed: Lower Cumberland – Old Hickory Lake

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 X Or 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):

The wetland has no connection to any other water.