

**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: Albuquerque  
 FILE NUMBER: 2006 00211

REGULATORY PROJECT MANAGER: D. Humphreys Date: 14/20/2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office    (Y/N) Date: 14/20/2006  
 At the project site    (Y/N) Date: 5/17/2001

PROJECT LOCATION INFORMATION:  
 State: Colorado  
 County: El Paso  
 Center coordinates of site by latitude & longitudinal coordinates: \_\_\_\_\_  
 Approximate size of site/property (including uplands & in acres): 500 acres  
 Name of waterway or watershed: Jimmy Camp Creek

**SITE CONDITIONS:**

Type of aquatic resource <sup>1</sup>	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									
Prairie pothole									
Wet meadow					10				
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
_____									

<sup>1</sup>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 <sup>1</sup> :	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	

<sup>1</sup>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  

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 unnamed channel of Jimmy camp Creek loses an ordinary high water mark and wetland features below a stock pond constructed on the channel may years ago. No channel or swale remains downstream of the stock/irrigation pond. The nearest tributary is about ½ mile away. It appears that no water makes it past the stock/irrigation pond.