

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: Philadelphia

FILE NUMBER: CENAP-OP-R-200601062-24

REGULATORY PROJECT MANAGER: James N. Boyer Date: Dec. 13, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office N (Y/N) Date: _____
 At the project site Y (Y/N) Date: Dec. 14, 2004

PROJECT LOCATION INFORMATION:

State: New Jersey

County: Camden

Center coordinates of site by latitude & longitudinal coordinates: 39-57-51 N / 75-04-29 W

Approximate size of site/property (including uplands & in acres): 9.04

Name of waterway or watershed: Delaware 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	0.11								
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 .

INFORMATION SHEET – **CONTINUED**
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ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraph 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):

1. The property consists of 9.04 acres in a roughly triangular shape, bounded by a railroad and River Road. Approximately half the property consists of a former grocery store and paved parking lot. An access road to a train station parking lot bisects the remainder of the property. The rest of the site is brushy with some forested and grassy portions. It is almost entirely upland, with the exception of three small isolated wetlands.
2. Area "06" and "08" are small isolated wetlands along the access road. They are located entirely within the property. They are about 700 feet away from the Delaware River, and are situated about 40 feet higher in elevation than the river. They are not adjacent to the Delaware River or any other water body. They are not navigable in fact, and they have no obvious nexus to interstate commerce or navigable waters. Therefore, they are isolated and not regulated by the Corps of Engineers.
2. Area "07" is a larger wetland along the railroad. It receives runoff from the subject property, but is mostly off the property, with only a small portion on the site. It is about 500 feet away from the Delaware River at its closest point, and is situated about 40 feet higher in elevation than the river. They are not adjacent to the Delaware River or any other water body. It is not navigable in fact, and it has no obvious nexus to interstate commerce or navigable waters. Therefore, it is isolated and not regulated by the Corps of Engineers.
4. There are no waters or wetlands on the property under the jurisdiction of the Corps of Engineers.