

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: Kansas City District

FILE NUMBER: 200402212, Site 2, (Price Candy) City of Richmond

REGULATORY PROJECT MANAGER: Donahue

Date: 10 Sep 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office __ (Y/N)

Date:

At the project site Y (Y/N)

Date: 08 sep 2004

PROJECT LOCATION INFORMATION:

State:

Missouri

County:

Ray

Center coordinates of site by latitude & longitudinal coordinates:

Lat 39-16-1, Long 93-58-33

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

5 acres

Name of waterway or watershed:

Willow Creek

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									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)	X								
<u>Excavated pond in upland</u>									

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):

Site is located on top of a hillside above and adjacent to a tributary to Willow Creek. Tributary is considered jurisdictional based upon an ordinary high water mark of incised channel approximately 5 feet in width. A pond was excavated approximately halfway up the slope from the creek possibly as a borrow site for material to construct a building pad for the now abandoned Price Candy manufacturing building. City of Richmond official reported that pond was stocked with fish and was used for recreational enjoyment of company employees. There was no ordinary high water mark (OHWM) upstream of the pond and no OHWM immediately below the pond. Further downslope of the pond approximately 100 feet was an eroded, heavily forested ravine but no channel between it and the pond. There was no outlet structures apparent in, through or below the pond other than a very small grassed spillway located in the NW corner of the pond.

Southwood



0 0.5 Miles



Application by

Base Number: 200402212

Purpose: Residential/storm sewer

State: MO

County: Ray

Legal: Sec. 31, T52 north, R27 west

River Mile:

Lat: 39-16-01.0560

Long: 93-58-33.3480

Adjacent Property Owners