Regulatory Program

INTERIM APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers
This form should be completed by following the instructions provided
in the Interim Approved Jurisdictional Determination Form User Manual.

SECTION I: BACKGROUND INFORMATION

A. COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (AJD): December 14, 2018

B. ORM NUMBER IN APPROPRIATE FORMAT (e.g., HQ-2015-00001-SMJ): SPK-2018-00285

C. PROJECT LOCATION AND BACKGROUND INFORMATION:
State: California County/parish/borough: Shasta County City:
Center coordinates of site (lat/long in degree decimal format): Lat. 40.631313, Long. -122.321526.
Map(s)/diagram(s) of review area (including map identifying single point of entry (SPOE) watershed and/or potential jurisdictional areas where applicable) is/are: ☒ attached ☐ in report/map titled .
☐ Other sites (e.g., offsite mitigation sites, disposal sites, etc.) are associated with this action and are recorded on a different jurisdictional determination (JD) form. List JD form ID numbers (e.g., HQ-2015-00001-SMJ-1): .

D. REVIEW PERFORMED FOR SITE EVALUATION:
☐ Office (Desk) Determination Only. Date: .
☒ Office (Desk) and Field Determination. Office/Desk Dates: November 26, 2018 Field Date(s): July 19, 2018.

SECTION II: DATA SOURCES

Check all that were used to aid in the determination and attach data/maps to this AJD form and/or references/citations in the administrative record, as appropriate.
☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant. Title/Date: Figure 1, Approved JD Waters of the United States, dated June 15, 2018.
☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
☒ Data sheets/delineation report are sufficient for purposes of AJD form. Title/Date: Shasta College Regional Public Safety Training Facility Request for Approved Jurisdiction Determination, dated July 13, 2018.
☐ Data sheets/delineation report are not sufficient for purposes of AJD form. Summarize rationale and include information on revised data sheets/delineation report that this AJD form has relied upon: .
Revised Title/Date: .
☐ Data sheets prepared by the Corps. Title/Date: .
☐ Corps navigable waters study. Title/Date: .
☐ CorpsMap ORM map layers. Title/Date: .
☐ USGS Hydrologic Atlas. Title/Date: .
☐ USGS, NHD, or WBD data/maps. Title/Date: .
☒ USGS 8, 10 and/or 12 digit HUC maps. HUC number: 18020154.
☒ USGS maps. Scale & quad name and date: a:24K; Project City.
☒ USDA NRCS Soil Survey. Citation: Custom report dated May 21, 2018.
☐ USFWS National Wetlands Inventory maps. Citation: .
☐ State/Local wetland inventory maps. Citation: .
☒ FEMA/FIRM maps. Citation: 06089C1239G.
☐ Photographs: ☐ Aerial. Citation: . or ☐ Other. Citation: .
☐ LiDAR data/maps. Citation: .
☒ Previous JDs. File no. and date of JD letter: Preliminary JD SPK-2018-00285, dated May 22, 2018.
☐ Applicable/supporting case law: .

☐ Applicable/supporting scientific literature: .
☐ Other information (please specify): .

SECTION III: SUMMARY OF FINDINGS

Complete ORM "Aquatic Resource Upload Sheet" or Export and Print the Aquatic Resource Water Droplet Screen from ORM for All Waters and Features, Regardless of Jurisdictional Status – Required

A. RIVERS AND HARBORS ACT (RHA) SECTION 10 DETERMINATION OF JURISDICTION:
☐ "*navigable waters of the U.S.*" within RHA jurisdiction (as defined by 33 CFR part 329) in the review area.
- **Complete Table 1 - Required**

NOTE: If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Section 10 navigable waters list, DO NOT USE THIS FORM TO MAKE THE DETERMINATION. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Section 10 RHA navigability determination.

B. CLEAN WATER ACT (CWA) SECTION 404 DETERMINATION OF JURISDICTION: "*waters of the U.S.*" within CWA jurisdiction (as defined by 33 CFR part 328.3) in the review area. **Check all that apply.**
☐ (a)(1): All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (Traditional Navigable Waters (TNWs))
- **Complete Table 1 - Required**

☐ This AJD includes a case-specific (a)(1) TNW (Section 404 navigable-in-fact) determination on a water that has not previously been designated as such. Documentation required for this case-specific (a)(1) TNW determination is attached.

☐ (a)(2): All interstate waters, including interstate wetlands.
- **Complete Table 2 - Required**

☐ (a)(3): The territorial seas.
- **Complete Table 3 - Required**

☐ (a)(4): All impoundments of waters otherwise identified as waters of the U.S. under 33 CFR part 328.3.
- **Complete Table 4 - Required**

☐ (a)(5): All tributaries, as defined in 33 CFR part 328.3, of waters identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.
- **Complete Table 5 - Required**

☐ (a)(6): All waters adjacent to a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3, including wetlands, ponds, lakes, oxbows, impoundments, and similar waters.
- **Complete Table 6 - Required**

☐ Bordering/Contiguous.
Neighboring:
☐ (c)(2)(i): All waters located within 100 feet of the ordinary high water mark (OHWM) of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3.
☐ (c)(2)(ii): All waters located within the 100-year floodplain of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3 and not more than 1,500 feet of the OHWM of such water.
☐ (c)(2)(iii): All waters located within 1,500 feet of the high tide line of a water identified in paragraphs (a)(1) or (a)(3) of 33 CFR part 328.3, and all waters within 1,500 feet of the OHWM of the Great Lakes.

☐ (a)(7): All waters identified in 33 CFR 328.3(a)(7)(i)-(v) where they are determined, on a case-specific basis, to have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.
- **Complete Table 7 for the significant nexus determination. Attach a map delineating the SPOE watershed boundary with (a)(7) waters identified in the similarly situated analysis. - Required**

☐ Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.

☐ (a)(8): All waters located within the 100-year floodplain of a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3 not covered by (c)(2)(ii) above and all waters located within 4,000 feet of the high tide line or OHWM of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3 where they are determined on a case-specific basis to have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.
- **Complete Table 8 for the significant nexus determination. Attach a map delineating the SPOE watershed boundary with (a)(8) waters identified in the similarly situated analysis. - Required**

☐ Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.

C. NON-WATERS OF THE U.S. FINDINGS:

Check all that apply.

☐ The review area is comprised entirely of dry land.

☐ Potential-(a)(7) Waters: Waters that DO NOT have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.

- **Complete Table 9 and attach a map delineating the SPOE watershed boundary with potential (a)(7) waters identified in the similarly situated analysis. - Required**

☐ Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.

☒ Potential-(a)(8) Waters: Waters that DO NOT have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.

- **Complete Table 9 and attach a map delineating the SPOE watershed boundary with potential (a)(8) waters identified in the similarly situated analysis. - Required**

☐ Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.

☒ Excluded Waters (Non-Waters of U.S.), even where they otherwise meet the terms of paragraphs (a)(4)-(a)(8):

- **Complete Table 10 - Required**

☐ (b)(1): Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA.

☐ (b)(2): Prior converted cropland.

☒ (b)(3)(i): Ditches with ephemeral flow that are not a relocated tributary or excavated in a tributary.

☐ (b)(3)(ii): Ditches with intermittent flow that are not a relocated tributary, excavated in a tributary, or drain wetlands.

☐ (b)(3)(iii): Ditches that do not flow, either directly or through another water, into a water identified in paragraphs (a)(1)-(a)(3).

☐ (b)(4)(i): Artificially irrigated areas that would revert to dry land should application of water to that area cease.

☐ (b)(4)(ii): Artificial, constructed lakes and ponds created in dry land such as farm and stock watering ponds, irrigation ponds, settling basins, fields flooded for rice growing, log cleaning ponds, or cooling ponds.

☐ (b)(4)(iii): Artificial reflecting pools or swimming pools created in dry land.[1]

☐ (b)(4)(iv): Small ornamental waters created in dry land.[1]

☐ (b)(4)(v): Water-filled depressions created in dry land incidental to mining or construction activity, including pits excavated for obtaining fill, sand, or gravel that fill with water.

☐ (b)(4)(vi): Erosional features, including gullies, rills, and other ephemeral features that do not meet the definition of tributary, non-wetland swales, and lawfully constructed grassed waterways.[1]

☐ (b)(4)(vii): Puddles.[1]

☐ (b)(5): Groundwater, including groundwater drained through subsurface drainage systems.[1]

☐ (b)(6): Stormwater control features constructed to convey, treat, or store stormwater that are created in dry land.[1]

☐ (b)(7): Wastewater recycling structures created in dry land; detention and retention basins built for wastewater recycling; groundwater recharge basins; percolation ponds built for wastewater recycling; and water distributary structures built for wastewater recycling.

☐ Other non-jurisdictional waters/features within review area that do not meet the definitions in 33 CFR 328.3 of (a)(1)-(a)(8) waters and are not excluded waters identified in (b)(1)-(b)(7).

- **Complete Table 11 - Required.**

D. ADDITIONAL COMMENTS TO SUPPORT AJD: The applicant contested jurisdiction of the two features identified on the map, and the Corps concurs with their findings based on our review. .

[1] In many cases these excluded features will not be specifically identified on the AJD form, unless specifically requested. Corps Districts may, in case-by-case instances, choose to identify some or all of these features within the review area.

Jurisdictional Waters of the U.S.

Table 1. (a)(1) Traditional Navigable Waters

(a)(1) Waters Name	(a)(1) Criteria	Rationale to Support (a)(1) Designation Include High Tide Line or Ordinary High Water Mark indicators, when applicable.
N/A	Choose an item.	N/A

Table 2. (a)(2) Interstate Waters

(a)(2) Waters Name	Rationale to Support (a)(2) Designation
N/A	N/A

Table 3. (a)(3) Territorial Seas

(a)(3) Waters Name	Rationale to Support (a)(3) Designation
N/A	N/A

Table 4. (a)(4) Impoundments

(a)(4) Waters Name	Rationale to Support (a)(4) Designation
N/A	N/A
N/A	N/A

Table 5. (a)(5)Tributaries

(a)(5) Waters Name	Flow Regime	(a)(1)-(a)(3) Water Name to which this (a)(5) Tributary Flows	Tributary Breaks	Rationale for (a)(5) Designation and Additional Discussion. Identify flowpath to (a)(1)-(a)(3) water or attach map identifying the flowpath; explain any breaks or flow through excluded/non-jurisdictional features, etc.
N/A	Choose an item.	N/A	Choose an item.	N/A
N/A	Choose an item.	N/A	Choose an item.	N/A
N/A	Choose an item.	N/A	Choose an item.	N/A
N/A	Choose an item.	N/A	Choose an item.	N/A

Table 6. (a)(6) Adjacent Waters

(a)(6) Waters Name	(a)(1)-(a)(5) Water Name to which this Water is Adjacent	Rationale for (a)(6) Designation and Additional Discussion. Identify the type of water and how the limits of jurisdiction were established (e.g., wetland, 87 Manual/Regional Supplement); explain how the 100-year floodplain and/or the distance threshold was determined; whether this water extends beyond a threshold; explain if the water is part of a mosaic, etc.
N/A	N/A	N/A
N/A	N/A	N/A
N/A	N/A	N/A
N/A	N/A	N/A

Table 7. (a)(7) Waters

SPOE Name	(a)(7) Waters Name	(a)(1)-(a)(3) Water Name to which this Water has a Significant Nexus	Significant Nexus Determination Identify SPOE watershed; discuss whether any similarly situated waters were present and aggregated for SND; discuss data, provide analysis, and summarize how the waters have more than speculative or insubstantial effect on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water, etc.
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Table 8. (a)(8) Waters

SPOE Name	(a)(8) Waters Name	(a)(1)-(a)(3) Water Name to which this Water has a Significant Nexus	Significant Nexus Determination Identify SPOE watershed; explain how 100-yr floodplain and/or the distance threshold was determined; discuss whether waters were determined to be similarly situated to subject water and aggregated for SND; discuss data, provide analysis, and then summarize how the waters have more than speculative or insubstantial effect the on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water, etc.
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Non-Jurisdictional Waters

Table 9. Non-Waters/No Significant Nexus

SPOE Name	Non-(a)(7)/(a)(8) Waters Name	(a)(1)-(a)(3) Water Name to which this Water DOES NOT have a Significant Nexus	Basis for Determination that the Functions DO NOT Contribute Significantly to the Chemical, Physical, or Biological Integrity of the (a)(1)-(a)(3) Water. Identify SPOE watershed; explain how 100-yr floodplain and/or the distance threshold was determined; discuss whether waters were determined to be similarly situated to the subject water; discuss data, provide analysis, and summarize how the waters did not have more than a speculative or insubstantial effect on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water.
SPOE A	W-2	The Sacramento River	The SPOE watershed is on the attached map, which is approximately 42,504 acres, and the distance to the nearest a(1)-(3) water is approximately 13.1 linear miles. W-2 is not located within the 100-year floodplain based on the Flood Insurance Rate Map Map number 06089C1239G, dated March 17, 2011, created by the Federal Emergency Management Agency. Analyzing similarly situated waters within the same uninterrupted, contiguous area of land of W-2 with the same homogeneous Soils, Vegetation, and Landform, there are only approximately 3.74 acres and this is the only water within the area. Therefore W-2 is the only water carried forward in the significant nexus determination. The 3.74 acre area is made up of well drained soils, irregular plain of landforms, and forest and woodland gap – land cover, which is located on the attached map labeled SVL for SPK-2018-00285, created on December 7, 2018. W-2 is a Palustrine forested/shrub wetland. Within the SPOE watershed, according to the Naitonal Wetlands Inventory, there are approximately 35.12 acres of forested/scrub wetlands. W-2 is 0.06 acres, and equals approximately 0.1% of the total amount of forested/scrub wetlands within the SPOE. Significant Nexus Evaluation for a(8) water known as W-2 within the study area: Site hydrology: W-2 is a palustrine forested/shrub wetland that is shallow, with approximately a one foot depth in the deepest part, which would flow over into ES1 during normal storm events. However, on the site visit, it was apparent the depression that would capture ES1, which is outside the survey area would hold the surface water, and not allow flow due to the topographic conditions surrounding the depression. Sediment Trapping: W-2 does serve functions to sediment trapping, due to the small size of the wetland, this function would be limited as a service as the wetland would be filled relatively fast. The sediment trapping functions are not significant to the Sacramento River (nearest a(1) water), therefore the wetland does not have a significant nexus for performing sediment trapping functions to the Sacramento River. Nutrient Recycling: W-2 does perform nutrient recycling functions, to include decreasing

			nutrient loads. However, due to the small size of the wetland, nutrient recycling within the wetland would be limited and the wetland is isolated and has not hydrologically connected to a waterbody that flows into the Sacramento River. Therefore the wetland does not have a significant nexus for performing nutrient recycling functions to the Sacramento River. Pollutant trapping, transformation, filtering, and transport: W-2 serves functions to pollutant trapping, transformation, filtering, however due to the isolation of the wetland, it does not transport nutrients downstream into the Sacramento River. Due to the small size of the wetland, which only holds approximately six cubic yards of water, and isolation of the wetland, the pollutant trapping, trasformation, filtering functions are not significant in relationship to the Sacramento River. Therefore the wetland does not have a significant nexus for performing pollutant trapping, transformation, filtering, and transport functions to the Sacramento River. Retention and attenuation of flood waters: W-2 provides little retention and attenuation of flood waters. The wetland's maximum capacity of water is approximately six cubic yards. Based on the Sacramento River Navigation Study conducted by the Corps of Engineers on April 28, 1978, the average flow in Red Bluff is approximately 12,000 cubic feet per second, which is approximately 444 cubic yards per second. The Sacramento River's northern limit is at river mile 298.5. With this information, we have concluded, on average there is approximately 132,666 cubic yards of water within the Sacramento River on average at any given time. The wetland contributes less than 0.01 percent towards flood retention and attenuation to flood water functions based off of the given information. Therefore the wetland does not have a significant nexus for retention and attenuation of flood waters. Runoff storage: W-2 provides little runoff storage functions. The wetland is small in size and would only hold approximately six cubic yards for storage of water. The runoff storage functions are not significant to the Sacramento River, therefore the wetland does not have a significant nexus for performing runoff storage functions to the Sacramento River. Contribution of flow: W-2 is a isolated wetland that gives no contribution of flow to the Sacramento River. Therefore the wetland does not have a significant nexus for contribution of flow funtions to the Sacramento River. Export of organic Matter: W-2 is a isolated wetland that does not export organic matter into the Sacramento River. Therefore the wetland does not have a significant nexus for export of organic matter funtions to the Sacramento River. Export of food resources: W-2 is a isolated wetland that does not export food resources into the Sacramento River. Therefore the wetland does not have a significant nexus for export of food resource funtions to the Sacramento River. Provision of life cycle dependent aquatic habitat for species: W-2 is a isolated wetland that gives no provision of life cycle dependent aquatic habitat for species to the Sacramento

			River. Therefore the wetland does not have a significant nexus for provision of life cycle dependent aquatic habitat for species funtions to the Sacramento River.
N/A	N/A	N/A	N/A

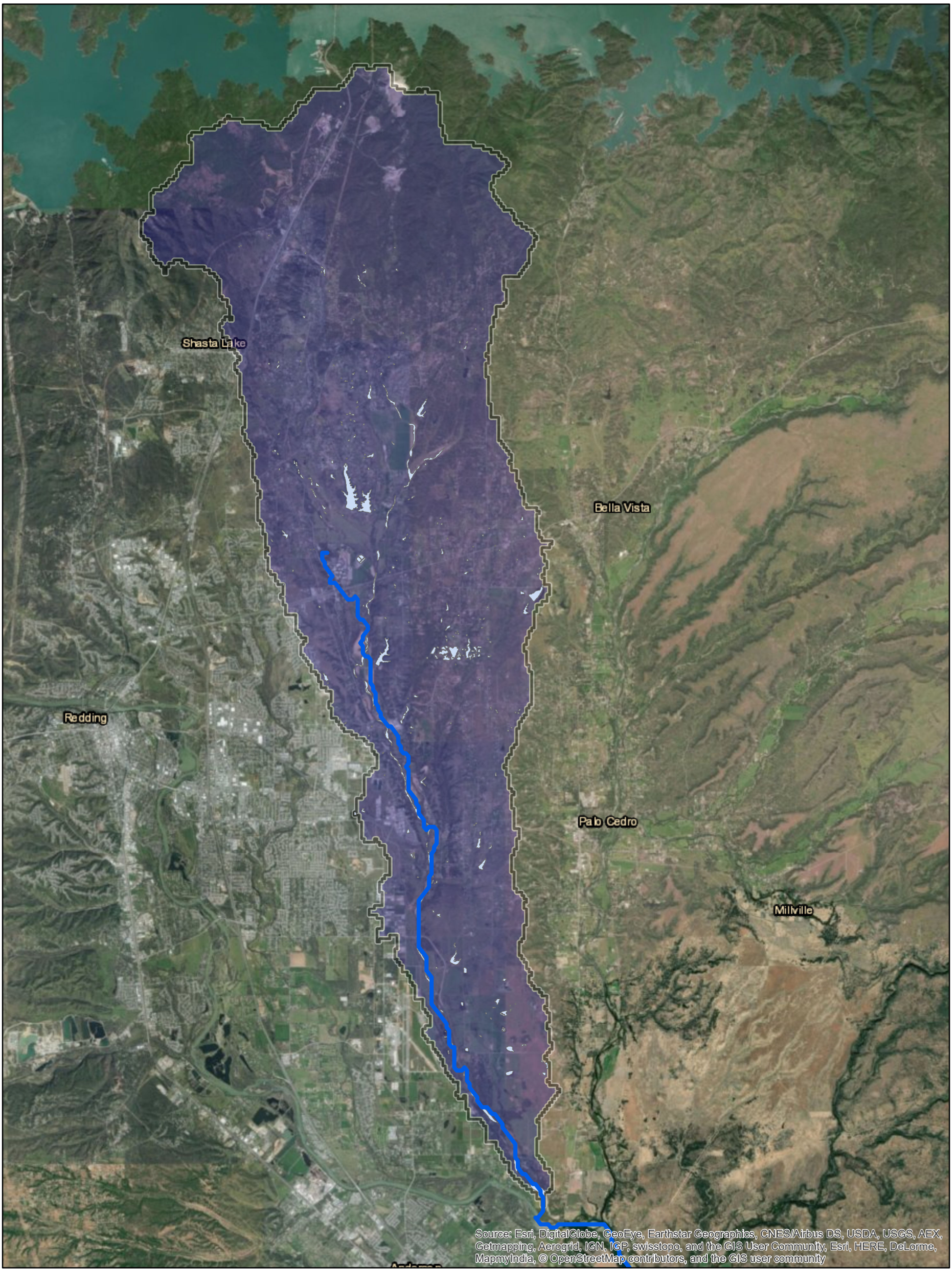
Table 10. Non-Waters/Excluded Waters and Features

Paragraph (b) Excluded Feature/Water Name	Rationale for Paragraph (b) Excluded Feature/Water and Additional Discussion.
ES-1	ES-1 is an engineered ephemeral ditch that flows North to South. ES-1 does not relocate a tributary and is not excavated in a tributary based on historic topographic photos from 1946, 1958, 1970, and 2003 located on https://www.historicaerials.com/. The ditch enters a culvert immediately after the culvert there is a topographical high point at approimately Latitude 40.6296°, Longitude -122.32121° that delineates the southern limit of the evaluated segment.

Table 11. Non-Waters/Other

Other Non-Waters of U.S. Feature/Water Name	Rationale for Non-Waters of U.S. Feature/Water and Additional Discussion.
N/A	N/A

Wetlands Within SPOE Watershed



N

1 inch = 11,500 feet

0 10,500 21,000 42,000 63,000 84,000

Feet

Legend

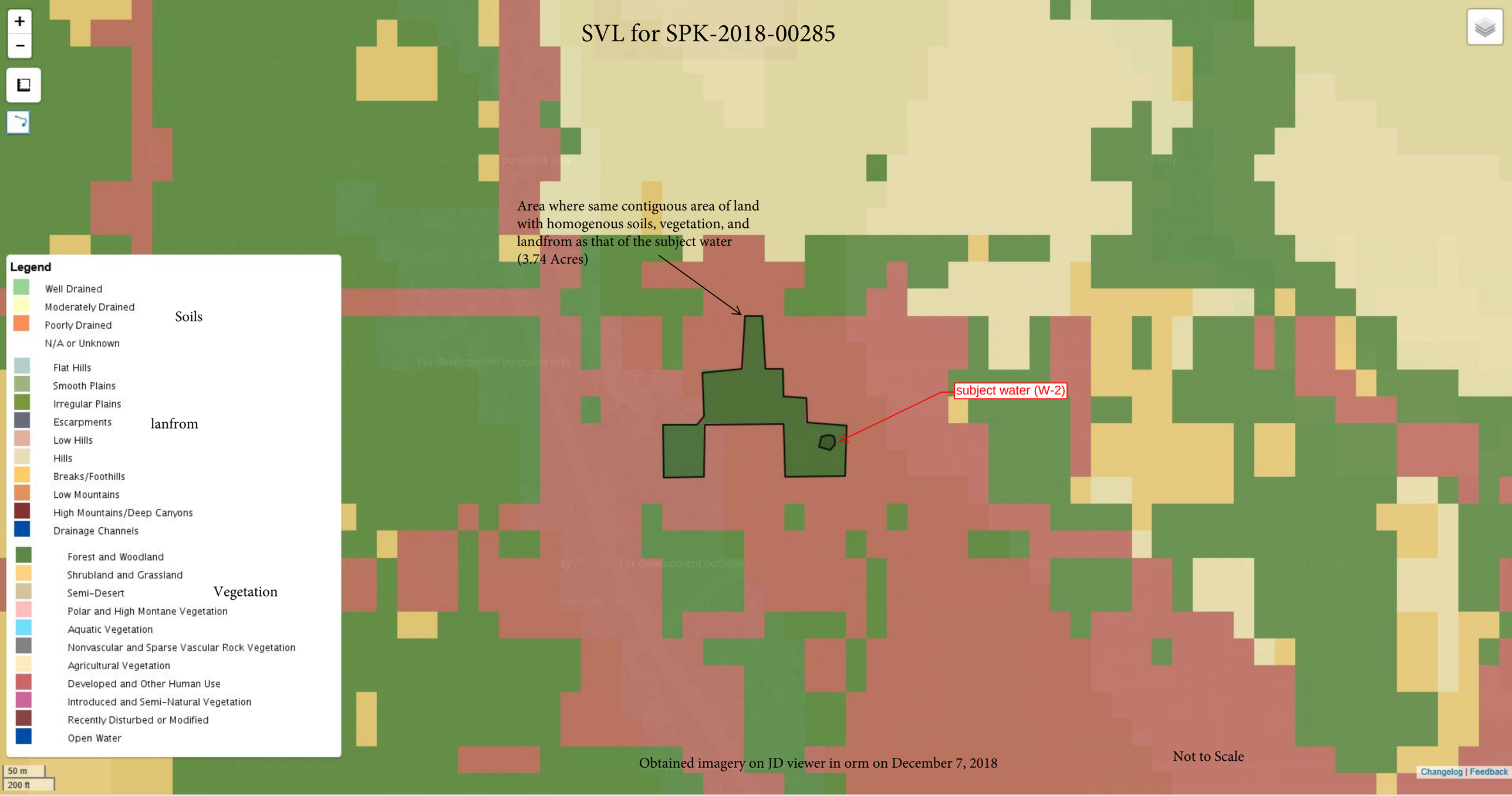
- Single Point of Entry Watershed trace line to A(1) water
- Wetlands from NWI (570.75 Acres)
- SPOE Watershed (42,504.93 Acres)

Freshawater Emergent Wetlands: 43 Waters; 51.95 Acres
Freshwater Forested/Scrub Wetlands: 14 Waters; 35.12
Freshwater Pond: 201 Waters; 205.54 Acres
Lake: 3 Waters; 107.1 Acres
Other: 4 Waters; 1.09 Acres
Riverine: 6 Waters; 169.94 Acres

Author: Matthew Roberts

Date: 12/7/2018

SVL for SPK-2018-00285



Obtained imagery on JD viewer in orm on December 7, 2018

Not to Scale

Waters_Name	State	Cowardin_Code	HGM_Code	Meas_Type	Amount	Units	Waters_Type	Latitude	Longitude	Local_Waterway	Similarity_Situated	Sim_Situated_Aggregated_SPOE	Adjcent_Waters_Stdct_33USC1344	OHWM_Chg_In_Plant_Community	OHWM_Bed_And_Banks	OHWM_Break_In_Slope	OHWM_Chg_In_Character_Of_Soil	OHWM_Chg_In_Veg_Density_Maturity	OHWM_Chg_In_Sediment_Texture	OHWM_Line_Impressed_On_Bank	OHWM_Destr_Of_Terrestrial_Veg	OHWM_Leaf_Litter_Disturbed	OHWM_Multiple_Flow_Events	OHWM_Scour	OHWM_Sediment_Deposition	OHWM_Sediment_Sorting	OHWM_Shelving	OHWM_Litter_and_Debris_Present	OHWM_Wrack_Line_Present	OHWM_Veg_Matted_Bent_Or_Absent	OHWM_Water_Staining	OHWM_Other	OHWM_Other_Text	Func_I_Sediment_Trapping	Func_II_Nutrient_Recycling	Func_III_Pollutant_Management	Func_IV_Retn,h_Attenu_Fld_Wtrs	Func_V_Runoff_Storage	Func_VI_Contribution_of_Flow	Func_VII_Export_Organic_Matter	Func_VIII_Export_Food_Resources	Func_IX_Prov_Life_Cycle_Depdnt
W-2	CALIFORNIA	PFO	DEPRESS	Area	0.06	ACRE	OTHERA8F	40.63083000	-122.32133000		YES	NO	YES																					NO	NO	NO	NO	NO	NO	NO	NO	NO
ES-1	CALIFORNIA	R6	RIVERINE	Area	0.01	ACRE	EXCLDB3I	40.63021000	-122.32117000		NO	NO	NO	NO	YES	NO	NO	YES	NO	YES	NO	YES	NO	YES	YES	NO	NO	YES	NO	NO	NO	YES	N/A									

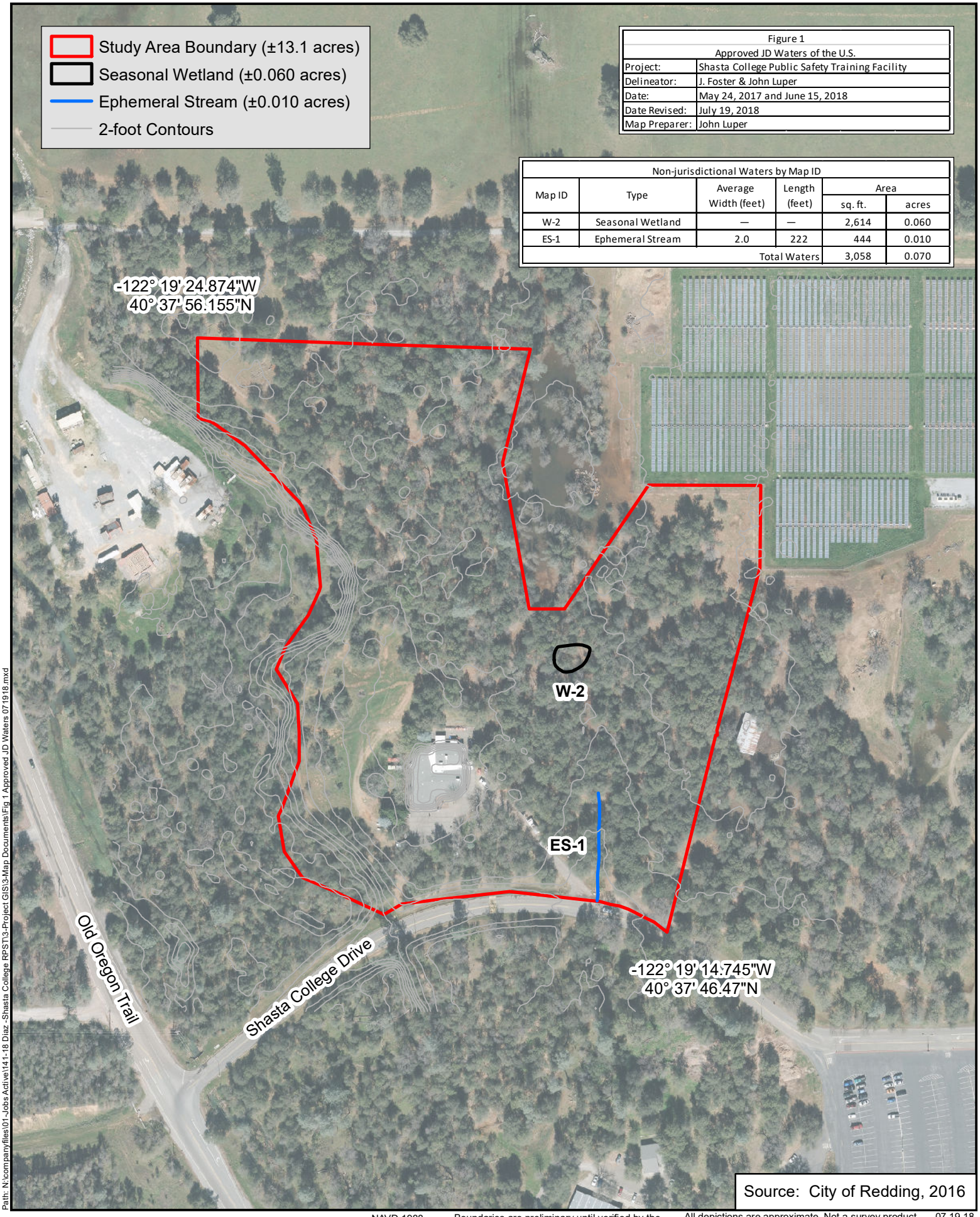


Figure 1	
Approved JD Waters of the U.S.	
Project:	Shasta College Public Safety Training Facility
Delineator:	J. Foster & John Luper
Date:	May 24, 2017 and June 15, 2018
Date Revised:	July 19, 2018
Map Preparer:	John Luper

Non-jurisdictional Waters by Map ID

Map ID	Type	Average Width (feet)	Length (feet)	Area	
				sq. ft.	acres
W-2	Seasonal Wetland	—	—	2,614	0.060
ES-1	Ephemeral Stream	2.0	222	444	0.010
			Total Waters	3,058	0.070

Path: N:\companyfiles\01-Jobs Active\141-18 Diaz - Shasta College RPST\3-Project GIS\3-Map Documents\Fig 1 Approved JD Waters 071918.mxd

1 inch = 200 feet

0 200 Feet

NAVD 1988

Boundaries are preliminary until verified by the Army Corps of Engineers.

All depictions are approximate. Not a survey product. 07.19.18

ENPLAN