

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

IF THE RIGHT-CLICK OPERATED DROPDOWNS ARE NOT FUNCTIONING, [CTRL+CLICK HERE](#)

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): **April 24, 2019**

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Sacramento District, **Daybreak Master Plan, SPK-2017-00275 (23 acre Irrigated Pasture)**

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: **Nevada** County/parish/borough: **Washoe County** City: **Reno**
Center coordinates of site (lat/long in degree decimal format): Lat. **39.4633498720766°**, Long. **-119.733351198515°**
Universal Transverse Mercator: **11 264848.46 4371763.6**

Name of nearest waterbody:

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: **Truckee River**

Name of watershed or Hydrologic Unit Code (HUC): **Truckee, 16050102**

Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form:

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: **April 22, 2019**

Field Determination. Date(s): **April 22, 2019**

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **are no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

Waters subject to the ebb and flow of the tide.

Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Explain:

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **are** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

TNWs, including territorial seas

Wetlands adjacent to TNWs

Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs

Non-RPWs that flow directly or indirectly into TNWs

Wetlands directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs

Impoundments of jurisdictional waters

Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: **975** linear feet, **6-15 feet** wide, and/or **0.192** acre.

Wetlands: **0.117** acre.

c. Limits (boundaries) of jurisdiction based on: **1987 Delineation Manual and OHWM**

Elevation of established OHWM (if known):

2. Non-regulated waters/wetlands (check if applicable):³

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain:

SECTION III: CWA ANALYSIS

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW

Identify TNW:

Summarize rationale supporting determination:

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is “adjacent”:

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are “relatively permanent waters” (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed size: **779,072 acres**

Drainage area: **350 acres**

Average annual rainfall: **7.48 inches**

Average annual snowfall: inches

(ii) Physical Characteristics:

(a) Relationship with TNW:

Tributary flows directly into TNW.

Tributary flows through **2** tributaries before entering TNW.

Project waters are **2-5** river miles from TNW.

Project waters are **1 (or less)** river miles from RPW.

Project waters are **2-5** aerial (straight) miles from TNW.

Project waters are **1 (or less)** aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain: **No**

Identify flow route to TNW⁵: **The relevant reach (Tributary IS-1) is an unnamed tributary referred to in the delineation report as tributary IS-1 (the entire relevant reach is shown on enclosure 1). The relevant reach begins as a 1st-order stream at its point of diversion from Steamboat Creek and continues**

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

north to its confluence with an unnamed tributary to Steamboat Creek where it becomes 2nd-order. The review area for this action is an addendum to the review area shown on enclosure 1, and is situated along a subset of the same relevant reach. The review area and delineated waters is shown on enclosure 2. Tributary IS-1 flows northwest along Bella Vista Ranch Road and then north for approximately 4,000 feet to an east/west-oriented unnamed tributary of Steamboat Creek. Steamboat Creek flows northeast for approximately 3.25 miles before its confluence with the Truckee River, a TNW. The Truckee River was determined to be a "Navigable in Fact" Traditionally Navigable Water (TNW) from Lake Tahoe in Tahoe City, California to Pyramid Lake in Nevada via a Stand-alone determination made by the Corps Sacramento District dated 11 Jun 2008. The Truckee River is also an interstate, water of the U.S.

Tributary stream order, if known: **1st**

(b) General Tributary Characteristics (check all that apply):

- Tributary is: Natural
 Artificial (man-made). Explain:
 Manipulated (man-altered). Explain: **Tributary IS-1 is a perimeter irrigation ditch that is exposed to cattle. It has an irregular width and ranges from about 6 to 15 feet wide, with a few wider spots. Some reaches of the ditch are very steep sided with no fringe edge and other reaches have vegetated terraces that support wetland vegetation.**

Tributary properties with respect to top of bank (estimate):

Average width: **10** feet
Average depth: **2** feet
Average side slopes: **2:1**.

Primary tributary substrate composition (check all that apply):

- | | | |
|---|--|-----------------------------------|
| <input checked="" type="checkbox"/> Silts | <input checked="" type="checkbox"/> Sands | <input type="checkbox"/> Concrete |
| <input checked="" type="checkbox"/> Cobbles | <input type="checkbox"/> Gravel | <input type="checkbox"/> Muck |
| <input type="checkbox"/> Bedrock | <input type="checkbox"/> Vegetation. Type/% cover: | |
| <input type="checkbox"/> Other. Explain: | | |

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: **Steep sides and eroding due to cattle access.**

Presence of run/riffle/pool complexes. Explain:

Tributary geometry: **Relatively straight**

Tributary gradient (approximate average slope): %

(c) Flow:

Tributary provides for: **Seasonal flow**

Estimate average number of flow events in review area/year: **1**

Describe flow regime: **Intermittent/seasonal**

Other information on duration and volume:

Surface flow is: **Confined**. Characteristics:

Subsurface flow: **Unknown**. Explain findings:

Dye (or other) test performed:

Tributary has (check all that apply):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Bed and banks | |
| <input checked="" type="checkbox"/> OHWM ⁶ (check all indicators that apply): | |
| <input checked="" type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> the presence of litter and debris |
| <input checked="" type="checkbox"/> changes in the character of soil | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input checked="" type="checkbox"/> shelving | <input type="checkbox"/> the presence of wrack line |
| <input checked="" type="checkbox"/> vegetation matted down, bent, or absent | <input checked="" type="checkbox"/> sediment sorting |
| <input checked="" type="checkbox"/> leaf litter disturbed or washed away | <input type="checkbox"/> scour |
| <input checked="" type="checkbox"/> sediment deposition | <input checked="" type="checkbox"/> multiple observed or predicted flow events |
| <input checked="" type="checkbox"/> water staining | <input type="checkbox"/> abrupt change in plant community |
| <input type="checkbox"/> other (list): | |
| <input type="checkbox"/> Discontinuous OHWM. ⁷ Explain: | |

⁶A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

⁷Ibid.

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> High Tide Line indicated by: | <input type="checkbox"/> Mean High Water Mark indicated by: |
| <input type="checkbox"/> oil or scum line along shore objects | <input type="checkbox"/> survey to available datum; |
| <input type="checkbox"/> fine shell or debris deposits (foreshore) | <input type="checkbox"/> physical markings; |
| <input type="checkbox"/> physical markings/characteristics | <input type="checkbox"/> vegetation lines/changes in vegetation types. |
| <input type="checkbox"/> tidal gauges | |
| <input type="checkbox"/> other (list): | |

(iii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Explain:
Identify specific pollutants, if known:

(iv) Biological Characteristics. Channel supports (check all that apply):

- Riparian corridor. Characteristics (type, average width):
- Wetland fringe. Characteristics: **Some areas of the tributary have vegetated terraces that support wetland vegetation.**
- Habitat for:
- Federally Listed species. Explain findings:
 - Fish/spawn areas. Explain findings:
 - Other environmentally-sensitive species. Explain findings:
 - Aquatic/wildlife diversity. Explain findings: **seasonal streams in arid environments are known to be important habitat for fauna, such as amphibians, birds, mammals, aquatic invertebrates.**

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:

(a) General Wetland Characteristics:

Properties:

Wetland size: **0.117** acres

Wetland type. **Palustrine Emergent Seep** Explain:

Wetland quality. **Moderate** Explain: **Vegetation dominated by native species and hydrology apparently intact.**

Project wetlands cross or serve as state boundaries. **No.** Explain:

(b) General Flow Relationship with Non-TNW:

Flow is: **Intermittent flow**. Explain: **The relative reach (Tributary IS-1) is a perimeter irrigation ditch that has been observed on multiple occasions to flow during spring and into the dry season.**

Surface flow is: **Discrete and confined**

Characteristics: **Excess water in Wetland S-3/S4 extension flows through a culvert under Rio Poco Ranch Road into the intermittent stream (IS-1). The seeps support a hydrophytic plant community, and the soils show evidence of well-developed hydric soils formation resulting from long term saturation.**

Subsurface flow: **Unknown**. Explain findings:

Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

- Directly abutting
- Not directly abutting
- Discrete wetland hydrologic connection. Explain:
 - Ecological connection. Explain:
 - Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are **2-5** river miles from TNW.

Project waters are **2-5** aerial (straight) miles from TNW.

Flow is from: **Wetland to navigable waters.**

Estimate approximate location of wetland as within the **100 - 500-year** floodplain.

(ii) Chemical Characteristics:

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: **Water is diverted into tributary IS-1 from Thomas Creek and possibly also**

from Steamboat Creek. Steamboat Creek is known to be contaminated with Mercury. Nutrient levels are generally high in the area due to agricultural use.

Identify specific pollutants, if known: Mercury, nitrogen, phosphorus.

(iii) Biological Characteristics. Wetland supports (check all that apply):

- Riparian buffer. Characteristics (type, average width):
- Vegetation type/percent cover. 80-100% herbaceous wetland cover Explain: described in delineation report
- Habitat for:
 - Federally Listed species. Explain findings:
 - Fish/spawn areas. Explain findings:
 - Other environmentally-sensitive species. Explain findings:
 - Aquatic/wildlife diversity. Explain findings: Widmer and Jersch (2002) found that the riparian corridors within the Thomas Creek and Whites Creek watersheds provide very good habitat for deer, coyotes, small mammals and birds.

3. Characteristics of all wetlands adjacent to the tributary (if any)

All wetland(s) being considered in the cumulative analysis: 7

Approximately 1.95 acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Wetlands S-3/S-4 extension is shown on the delineation map showing the review area described on this form (enclosure 1). Wetlands WS-1, WS-2, S-1, S-2, S-3, and S-4 are shown on the Relevant Reach Map (enclosure 2).

| | <u>Directly abuts? (Y/N)</u> | <u>Size (in acres)</u> | <u>Directly abuts? (Y/N)</u> | <u>Size (in acres)</u> |
|-------------------|------------------------------|------------------------|------------------------------|------------------------|
| WS-1 | Y | 0.398 acre | | |
| WS-2 | Y | 0.015 acre | | |
| S-1 | Y | 0.913 acre | | |
| S-2 | Y | 0.327 acre | | |
| S-3 | Y | 0.151 acre | | |
| S-3/S-4 extension | Y | 0.117 acre | | |
| S-4 | Y | 0.031 acre | | |

Summarize overall biological, chemical and physical functions being performed: Groundwater recharge and streamflow maintenance, water quality improvement through sediment removal, carbon and detritus contributions and flood protection through runoff detention. The wetlands in the review area are one of many headwater contributions to the greater Truckee River watershed.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
 TNWs: linear feet, wide, Or acres.
 Wetlands adjacent to TNWs: acres.
2. **RPWs that flow directly or indirectly into TNWs.**
 Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:
 Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: **The relative reach (Tributary IS-1) is a perimeter irrigation ditch that has been observed on multiple occasions to flow during spring and into the dry season.**
Provide estimates for jurisdictional waters in the review area (check all that apply):
 Tributary waters: **975** linear feet **6-15 feet** wide.
 Other non-wetland waters: acres.
Identify type(s) of waters:
3. **Non-RPWs⁸ that flow directly or indirectly into TNWs.**
 Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.
Provide estimates for jurisdictional waters within the review area (check all that apply):
 Tributary waters: linear feet, wide.
 Other non-wetland waters: acres.
Identify type(s) of waters:
4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
 Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
 Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:
 Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:
Provide acreage estimates for jurisdictional wetlands in the review area: **0.117** acre.
5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**
 Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.
Provide acreage estimates for jurisdictional wetlands in the review area: acres.
6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**
 Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

⁸See Footnote # 3.

Provide estimates for jurisdictional wetlands in the review area: _____ acres.

7. Impoundments of jurisdictional waters.⁹

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- Demonstrate that impoundment was created from “waters of the U.S.,” or
- Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
- Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰

- which are or could be used by interstate or foreign travelers for recreational or other purposes.
- from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- which are or could be used for industrial purposes by industries in interstate commerce.
- Interstate isolated waters. Explain:
- Other factors. Explain:

Identify water body and summarize rationale supporting determination:

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: _____ linear feet, _____ wide.
- Other non-wetland waters: _____ acres.
- Identify type(s) of waters:
- Wetlands: _____ acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 - Prior to the Jan 2001 Supreme Court decision in “SWANCC,” the review area would have been regulated based solely on the “Migratory Bird Rule” (MBR).
- Waters do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction. Explain:
- Other: (explain, if not covered above):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- Non-wetland waters (i.e., rivers, streams): _____ linear feet, _____ wide.
- Lakes/ponds: _____ acres.
- Other non-wetland waters: _____ acres. List type of aquatic resource:
- Wetlands: _____ acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction (check all that apply):

- Non-wetland waters (i.e., rivers, streams): _____ linear feet, _____ wide.
- Lakes/ponds: _____ acres.
- Other non-wetland waters: _____ acres. List type of aquatic resource:
- Wetlands: _____ acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

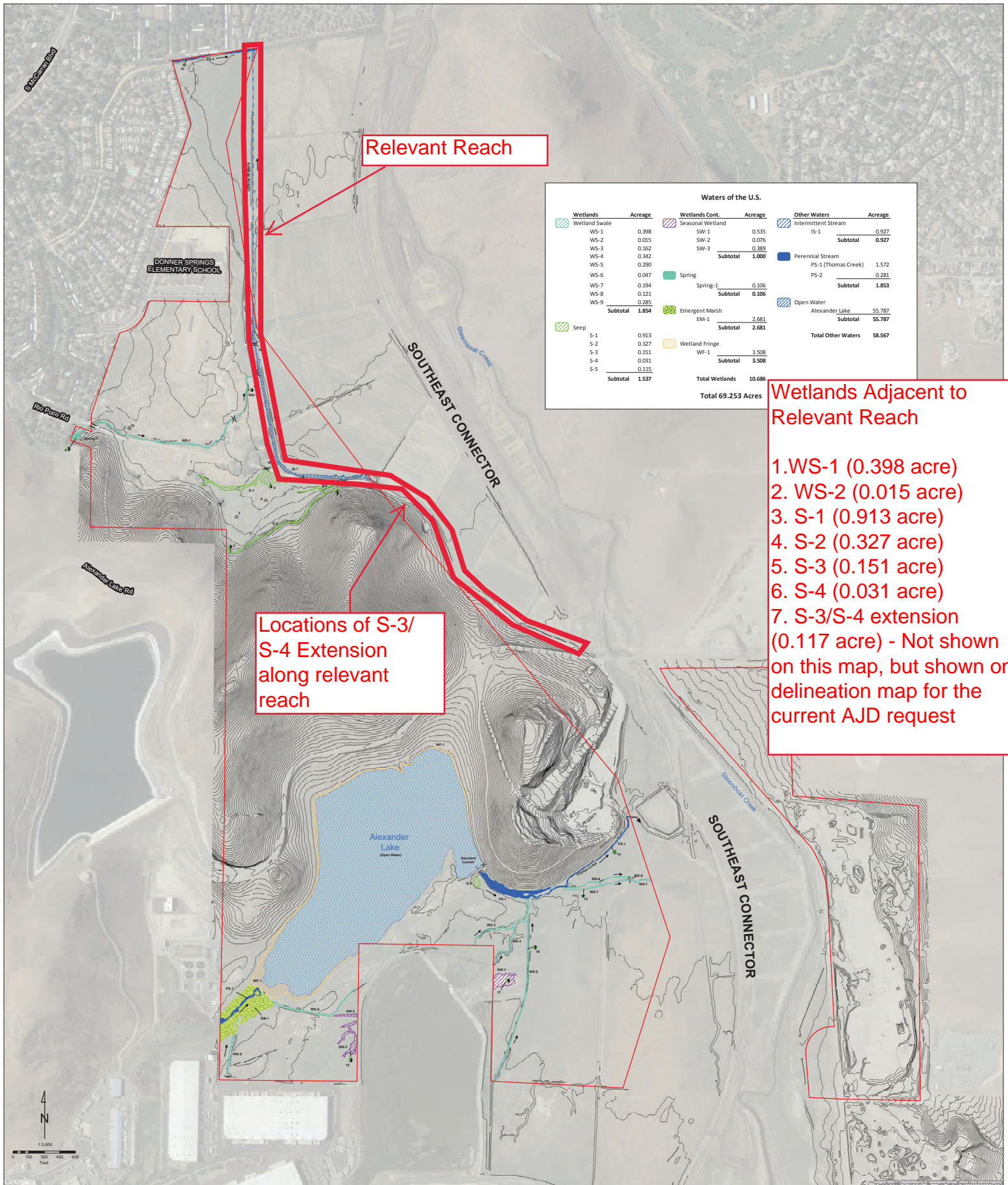
- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps:

⁹ To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

¹⁰ Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

- Corps navigable waters' study:
- U.S. Geological Survey Hydrologic Atlas:
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: **1:24K; Steamboat**
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name:
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): **Google Earth 1990-2018**
or Other (Name & Date): **Delineation report photos and Corps site visit photos**
- Previous determination(s). File no. and date of response letter: **SPK-2017-00275 (July 14, 2017 Preliminary Jurisdictional Determination for adjacent site)**
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD: **The relative reach (IS-1) is a seasonal RPW. IS-1 drains north to an unnamed RPW tributary of Steamboat Creek, which itself is an RPW and mapped (USGS) Perennial Stream which flows directly into the Truckee River a navigable in fact, interstate water of the U.S.**



Relevant Reach

| Waters of the U.S. | | | | | |
|--------------------|----------------|------------------|----------------|---------------------|---------------------------|
| Wetlands | | Wetlands Cont. | | Other Waters | |
| | Acreage | | Acreage | | Acreage |
| Wetland Swale | | Seasonal Wetland | | Intermittent Stream | |
| WS-1 | 0.398 | SW-1 | 0.535 | IS-1 | 0.927 |
| WS-2 | 0.015 | SW-2 | 0.076 | | Subtotal 0.927 |
| WS-3 | 0.162 | SW-3 | 0.389 | Perennial Stream | |
| WS-4 | 0.342 | | Subtotal 1.000 | PS-1 (Thomas Creek) | 1.572 |
| WS-5 | 0.290 | | | PS-2 | 0.281 |
| WS-6 | 0.047 | Spring | | | Subtotal 1.853 |
| WS-7 | 0.194 | Spring-1 | 0.106 | Open Water | |
| WS-8 | 0.121 | | Subtotal 0.106 | Alexander Lake | 55.787 |
| WS-9 | 0.285 | Emergent Marsh | | | Subtotal 55.787 |
| | Subtotal 1.854 | EM-1 | 2.681 | | Total Other Waters 58.567 |
| Seep | | | Subtotal 2.681 | | |
| S-1 | 0.913 | Wetland Fringe | | | |
| S-2 | 0.327 | WF-1 | 3.508 | | |
| S-3 | 0.151 | | Subtotal 3.508 | | |
| S-4 | 0.031 | | | | |
| S-5 | 0.115 | | | | |
| | Subtotal 1.537 | | | | |
| | | Total Wetlands | 10.686 | | |
| | | Total | 69.253 Acres | | |

Wetlands Adjacent to Relevant Reach

1. WS-1 (0.398 acre)
2. WS-2 (0.015 acre)
3. S-1 (0.913 acre)
4. S-2 (0.327 acre)
5. S-3 (0.151 acre)
6. S-4 (0.031 acre)
7. S-3/S-4 extension (0.117 acre) - Not shown on this map, but shown on delineation map for the current AJD request

Locations of S-3/S-4 Extension along relevant reach

Prepared By: **Salix consulting, inc.**
 Prepared For: Bristol Land Company LLC
 Newport Pacific Land Co.
 100 Bayview Circle, Ste. 2200
 Newport Beach, CA 92660

DELINEATED BY: J. GLAZNER & H. GALLANT
 FIELD WORK: AUGUST - DECEMBER 2016

MAP DRAWN BY: H. GALLANT

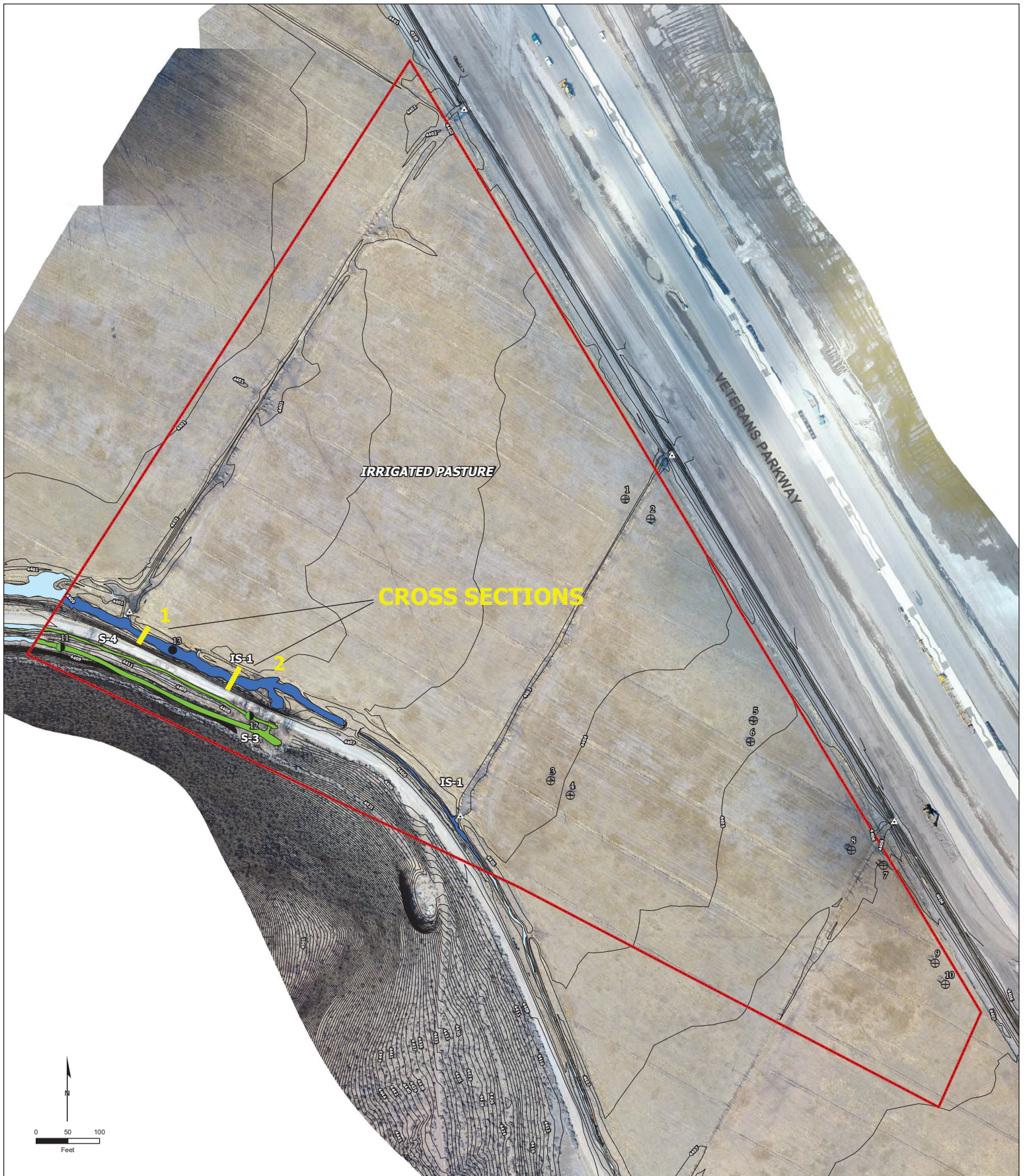
REVISIONS:

Study Area (±608 acres) Culvert
 Upland Data Point Flow Direction
 Wetland Data Point 5-Foot Contour
 Waters Data Point

NOTES:
 COORDINATE SYSTEM: NAD 1983 State Plane Nevada West FIPS 2703 (Feet)
 AERIAL IMAGE: July 13, 2016 (Google)
 TOPOGRAPHIC MAP PROVIDED BY: Places Consulting Services, Inc.

Figure 5
WETLAND DELINEATION MAP
Bella Vista Ranch Phase III
 City of Reno, Washoe County, NV

January 19, 2017



Prepared By:



Prepared For:

Bristol Land Company LLC
Newport Pacific Land Co.
100 Bayview Circle, Ste. 2200
Newport Beach, CA 92660

Waters of the U.S.

| Category | Code | Acreage |
|---------------------|-----------------|--------------------|
| Intermittent Stream | IS-1 | 0.192 |
| | Subtotal | 0.192 |
| Seep | S-3 | 0.077 |
| | S-4 | 0.040 |
| | Subtotal | 0.117 |
| Total | | 0.309 acres |

- Study Area (±23 acres)
- Previously Delineated WOTUS
- Upland Data Point
- Waters Data Point
- Wetland Data Point
- Irrigation Control Structure
- Culvert
- 1-ft Contour

Figure 6

WETLAND DELINEATION

Daybreak Irrigated Pasture
City of Reno, Washoe County, NV

November 11, 2018

DELINEATED BY: J. Glazner
DRAWN BY: H. Gallant

COORDINATE SYSTEM: NAD83 State Plane Nevada West

Imagery: 3-20-18 Salix Consulting, Inc.