



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): [January 29, 2021](#).

ORM Number: [SPK-2006-00078](#).

Associated JDs: [N/A](#).

Review Area Location¹: State/Territory: [California](#). City: [Redding](#). County/Parish/Borough: [Shasta](#).

Center Coordinates of Review Area: Latitude [40.5574](#). Longitude [-122.4325](#).

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: [N/A](#).
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A. acres	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³			
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A.	N/A. acres	N/A.	N/A.

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A. acres	N/A.	N/A.

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District’s list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



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Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):				
(a)(3) Name	(a)(3) Size		(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	acres	N/A	N/A.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
N/A.	N/A.	acres	N/A	N/A.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
SW6	0.004	acres	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	There is no evidence of a direct hydrologic surface connection from a jurisdictional water to this feature. The feature is topographically isolated and physically remote. The feature is surrounded by uplands and shows no signs of drainage. Furthermore, there is no hydrologic surface-water connection between the wetland and an (a)(1) – (a)(3) water.
SW7	0.008	acres	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	There is no evidence of a direct hydrologic surface connection from a jurisdictional water to this feature. The feature is topographically isolated and physically remote. The feature is surrounded by uplands and shows no signs of drainage. Furthermore, there is no hydrologic surface-water connection between the wetland and an (a)(1) – (a)(3) water.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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Information submitted by, or on behalf of, the applicant/consultant: [Preliminary Jurisdiction Determination Report, Dated October 3, 2016, prepared by North State Resources.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A.](#)

Data sheets prepared by the Corps: [N/A.](#)

Photographs: [Aerial and Other. Aerial and Other. Ground photos from Delineation Report dated January 9, 2020. Aerial photo February 27, 2016. GoogleEarth 7.3.3.7692. \(1998, August 10\) \(2009, June 5\) \(2010 September 15\) \(2012 August 18\) \(2013 August 27\) \(2015, April 15\) \(2016 August 15\) \(2017 May 24\) \(2018 August 27\) Redding, California. Latitude 40.55767°N, Longitude -122.43193 W, eye alt 346 ft. Retrieved February 2, 2021, from <http://www.earth.google.com>. Digital Globe \(2020, November 28\) <https://evwhs.digitalglobe.com/myDigitalGlobe/#18/40.55767/-122.43193>.](#)

Corps site visit(s) conducted on: [N/A.](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [PJD SPK 2006-00078, dated October 3 2016.](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [N/A.](#)

USFWS NWI maps: [N/A.](#)

USGS topographic maps: [USGS \(2019\). Topographic Map Redding, California. 1:18,056 Retrieved at <https://ngmdb.usgs.gov/topoview/viewer/#15/40.5643/-122.4607>.](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Issues	N/A.

B. Typical year assessment(s): [The Corps Antecedent Precipitation Tool indicated that at the time of the February 23, 2017, Digital Globe aerial photo was taken the study area was wetter than normal, and in the wet season. The drought index indicated that the study area was extremely wet. The February 23, 2017, photo did not show clear and evident signatures of surface hydrology that would convey water directly or indirectly into an A\(1\) water.](#)

C. Additional comments to support AJD: [On October 3, 2016, the Army Corps of Engineers completed a Preliminary Jurisdiction Determination for SW6 and SW7. A topographic map dated February 16, 2016, was provided by North State Resources. The map shows that the wetland features were topographically remote from any A\(1\)-\(3\) waters. The contours present on the topographical maps confirmed the wetlands are physically isolated. The antecedent Precipitation Tool in conjunction with a February 23, 2017, aerial photo, which is described as a "wet photo" shows the lack of surface hydrology connection directly or indirectly into and A\(1\) water.](#)