

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
U.S. Army Corps of Engineers

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): March 24, 2020

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Peri Ranch JD, SPK-2019-00829

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Nevada County/parish/borough: Douglas County City: Gardnerville
Center coordinates of site (lat/long in degree decimal format): Lat. 38.919°, Long. -119.712°
Universal Transverse Mercator: 11 264850 4311302.7
Name of nearest water body: East Fork Carson River
Name of watershed or Hydrologic Unit Code (HUC): Upper Carson, 16050201

- Check if map/diagram of review area is 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: March 24, 2020
- Field Determination. Date(s):

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.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **are no** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: 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: Nevada state water map, google maps, and parcel maps.
- 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:
- U.S. Geological Survey Hydrologic Atlas:
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s): 1:24000 Gardnerville
- USDA Natural Resources Conservation Service Soil Survey. Citation: <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>
- National wetlands inventory map(s): <https://www.fws.gov/wetlands/>
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is:
- Photographs (Aerial):
- Photographs (Other): Irrigation Ditch Photos March 17, 2020
- Previous determination(s):
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify):

¹ This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: Douglas County Officials required the property owner to seek a jurisdictional determination from this office because the topographic mapping shows a blue-line stream in the project area. Further, the USFWS NWI mapping shows the blue-line stream as an open water pond and a large portion of the property as emergent wetlands. However, these mapped features are not an accurate reflection of the condition of the project area and the inaccuracies appear to stem from these maps being developed when the property was being seasonally irrigated. The feature that is mapped as a blue-line stream is a relic irrigation ditch that was constructed wholly in uplands that has not received irrigation waters in more than 20 years. The blue-line stream location on the topographic maps demonstrates that the ditch was not constructed in an area that would naturally drain the landscape, and the USDA Natural Resource Conservation Service Soil Survey shows no hydrologic soils on site. Based on this evidence and the information submitted by the landowner, the blue-line mapped feature is not a jurisdictional water of the United States and is considered an upland feature.