



**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 25, 2021](#).

ORM Number: [SPK-2013-00774](#).

Associated JDs: [PJD for SPK-2013-00774](#).

Review Area Location¹: State/Territory: [CA](#). City: [Elk Grove](#). County/Parish/Borough: [Sacramento](#).

Center Coordinates of Review Area: Latitude [38.383663](#). Longitude [-121.387622](#).

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: .
- 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).

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



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B. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ²				
Exclusion Name	Exclusion Size		Exclusion ³	Rationale for Exclusion Determination
DSW1	0.031	acre	(b)(1) Non-adjacent wetland.	Does not abut an (a)1-(a)3 water and is not inundated by flooding from an (a)1-(a)3 water in a typical year.
DSW2	0.012	acre	(b)(1) Non-adjacent wetland.	Does not abut an (a)1-(a)3 water and is not inundated by flooding from an (a)1-(a)3 water in a typical year.

² 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.

³ 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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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.

Information submitted by, or on behalf of, the applicant/consultant: [Figure 2 Site Plan, by Madrone Ecological Consulting, June 2018.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)

Photographs: [Aerial: Digital Globe Inc, Coordinates: 38.383663, -121.387622, January 12, 2019.](#)

Corps site visit(s) conducted on: [Date\(s\).](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [SPK-2013-00774, PJD, October 1, 2013.](#)

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

USDA NRCS Soil Survey: [Title\(s\) and/or date\(s\).](#)

USFWS NWI maps: [Title\(s\) and/or date\(s\).](#)

USGS topographic maps:

[Florin Quadrangle, California - Sacramento County, 1:24,000, 7.5-Minute Series, 2018.](#)

[Florin Quadrangle, California - Sacramento County, 1:31,680, 1909 edition, reprinted 1947.](#)

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 Global History Climatology Network	30-year range precipitation data, accessed via Antecedent Precipitation Tool.
CorpsMap ORM Map Layers	Section 10 Navigable Waters.
State/Local/Tribal Sources	N/A.
Other Issues	N/A.

B. Typical year assessment(s): [Wetland inundation for a typical year was assessed using aerial imagery. The best available wet season imagery, taken on January 12, 2019, does not depict any reasonable abutment to the nearest potential \(a\)1-\(a\)3 water nor potential inundation by flooding of the nearest \(a\)1-\(a\)3 water. Antecedent Precipitation Tool analysis demonstrates that this aerial image represents normal conditions, based on the 30-day rolling total of precipitation in comparison with the 30-year normal range of precipitation totals from NOAA's Daily Global Historical Climatology Network.](#)

C. Additional comments to support AJD: [CH1 is the nearest potential \(a\)1-\(a\)3 water, and is delineated in the Preliminary Jurisdictional Determination completed for this project in 2013. CH1 is a channelized stream that drains into Snodgrass Slough, a Section 10 Navigable Water. The wetlands DSW1 and DSW2 are depressional seasonal wetlands that are located approximately 0.25 mile from CH1. These wetlands do not abut CH1 and are not inundated by flooding from CH1 in a typical year. In addition, DSW1 and DSW2](#)



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are not separated from CH1 by an artificial barrier or natural barrier. For the reasons listed above, the wetlands DSW1 and DSW2 are non-adjacent wetlands excluded from the Navigable Waters Protection Rule under paragraph (b)1 since they do not meet the criteria for an (a)4 adjacent wetland.