



**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): February 9, 2021

ORM Number: SPK-1995-50258

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State/Territory: UT City: St George County/Parish/Borough: Washington County

Center Coordinates of Review Area: Latitude 37.15641 Longitude -113.63584

## 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 or describe 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).

### B. Rivers and Harbors Act of 1899 Section 10 (§ 10)<sup>2</sup>

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

### C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters)<sup>3</sup>

(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A	N/A	N/A	N/A

Tributaries ((a)(2) waters):

(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
199550258-Stream1	8150 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream 1 (Sand Hollow Creek) overall is predominantly intermittent from the review area to the confluence with the Santa Clara River, approximately 2.65 miles downstream. Santa Clara River is a perennial channel that flows into the perennial Virgin River. The Virgin River is a tributary of Lake Mead a reservoir of the Colorado River, the nearest traditional navigable waterway, approximately 65 miles southwest. The subject stream has been determined to be intermittent, due to the well-established riparian vegetation that established within the channel, prior to 1953. The channel also supports Wetland 1 that is a combination

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<sup>3</sup> 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 independent 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.

<sup>4</sup> 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.

<sup>5</sup> 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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			of natural hydrology and golf course irrigation. Also, the stream in the 2005, 2008, 2010, 2011, and 2013 aerials is clearly either saturated or inundated. Sand Hollow Creek originates approximately 9 miles north of the project area and many small tributaries feed into the main channel. Drainage basin for this channel is approximately 12,000 acres and the majority of the basin is comprised of impervious sandstone. Also, a tributary that feeds into this channel is spring fed. Due to the evidence of flows for a continuous period annually and the direct hydrologic connection with Lake Mead (a)(1) traditional navigable waterway, this section of channel has been determined to be a jurisdictional (a)(2) intermittent water.
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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	N/A	N/A

**Adjacent wetlands ((a)(4) waters):**

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
199550258-Wetland 1	0.988 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland directly abuts Sand Hollow Creek, an (a)(2) water, that flows south into the Santa Clara River, an (a)(2) water, located approximately 2.65 miles downstream, then the Virgin River (a)(2) water, and Lake Mead (a)(1) water approximately 65 miles southwest. Hydrologic sources for this on channel wetland is a combination of groundwater, surface water, and stormwater runoff from the neighboring golf course and residential developments. These wetlands are an (a)(4) water, since they directly abut an (a)(2) water that flows into an (a)(1) waterway.

**D. Excluded Waters or Features**

**Excluded waters ((b)(1) – (b)(12))<sup>4</sup>:**

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
199550258-Stream1A	410 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	These two ephemeral drainages flow into Sand Hollow Creek.
199550258-Stream2	1721 feet		Stream 1A originates approximately 0.75 miles northeast of the project area. This channel through the review area ephemeral and no saturation/inundation could be identified off of the multiple aerials reviewed and does not contain riparian habitat.
199550258-Stream2A	290 feet		Stream 2 and 2A are part of the same drainage that flows through the golf course. The drainage section through the golf course is utilized for water storage and irrigation. This is evident since the channel above and below the golf course are a typical ephemeral channel

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		with no indicators of sustained flows. The channel originates approximately 0.35 miles northeast and around 2009 this channel was manipulated to function as a water feature with ponds and waterfalls through the Entrada residential development. The channel flow through the golf course is recirculated into two separate ponds for irrigation and golf course aesthetics. Prior to the golf course and residential development, this channel was devoid of vegetation and is a typical ephemeral channel for the area.  Therefore, these streams have been determined to be excluded (b)(3) ephemeral features.
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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: Entrada Country Club, Aquatic Resource Assessment, prepared by Transcon Environmental.

This information is sufficient for purposes of this AJD.

Rationale: N/A.

Data sheets prepared by the Corps:

Photographs: GoogleEarth 7.3.3.7692. (1993 July 3, 2004 August 24, 2005 December 31, 2006 July 12, 2008 December 30, 2010 December 30, 2011 September 14, 2012 December 30, 2014 December 30, 2017 June 14). St George, Utah. 37.15343° latitude, -113.64144° longitude, eye alt 3815 ft. Retrieved January 27, 2021, from <http://www.earth.google.com>: Historic Aerials by NETRonline. Aerials. 1953, 1960, 1967, 1973, 1977, 1993, 2004, 2006, 2009, 2011, 2014, and 2016. Retrieved January 27, 2021 from <https://www.historicaerials.com/viewer..>

Corps Site visit(s) conducted on:

Previous Jurisdictional Determinations (AJDs or PJDs):

Antecedent Precipitation Tool:

USDA NRCS Soil Survey:

USFWS NWI maps:

USGS topographic maps: Historic USGS Topography Maps by NETRonline. Topo. 1956, 1958, 1965, 1977, 1985, 1987, 2014, and 2017. Retrieved January 27, 2021 from <https://www.historicaerials.com/viewer..>

#### **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.

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USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

**B. Typical year assessment(s):** N/A.

**C. Additional comments to support AJD:** N/A.

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