



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT  
1325 J STREET  
SACRAMENTO CA 95814-2922

May 5, 2017

Regulatory Division (SPK-2016-00484)

Nevada Department of Transportation  
Attn: Mr. Alan Tinney  
1263 South Stewart Street  
Carson City, Nevada 89712

Dear Mr. Tinney:

We are responding to your February 7, 2017 request for an approved jurisdictional determination for the SR-160 Widening Project. The approximately 202-acre project site is located along SR-160, Latitude 36.00887°, Longitude -115.50437°, Clark County, Nevada (enclosure 1).

Based on available information, we concur with your aquatic resources delineation for the site, as depicted on the February 3, 2017 drawings titled "Delineation of Waters Map, SR 160 Phase II" sheets 1-7, and the March 27, 2017 drawings titled "Delineation of Waters Map, SR 160 Phase II" sheets 8-22 prepared by AZTEC. Approximately 13.84 acres of aquatic resources, consisting of 49,323 linear feet of ephemeral stream are present within the survey area.

The 2.173 acres of aquatic resources identified as "Ephemeral Stream – flowing west" on the above drawing are intrastate isolated aquatic resources with no apparent interstate or foreign commerce connection. As such, these aquatic resources are not currently regulated by the U.S. Army Corps of Engineers. This disclaimer of jurisdiction is only for Section 404 of the Federal Clean Water Act.

The 11.663 acres of aquatic resources identified as "Ephemeral Stream – flowing east" on the above drawing have no significant nexus to a traditional navigable waterway. As such, these waters are not currently regulated by the Corps of Engineers. This disclaimer of jurisdiction is only for Section 404 of the Federal Clean Water Act.

We are enclosing a copy of the *Approved Jurisdictional Determination Forms* for your site (enclosure 2).

This approved jurisdictional determination is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 Code of Federal Regulations (CFR) Part 331.

A *Notification of Appeal Process (NAP) and Request for Appeal (RFA) Form* is enclosed (enclosure 3). If you request to appeal this determination, you must submit a completed RFA form to the South Pacific Division Office at the following address: Administrative Appeal Review Officer, Army Corps of Engineers, South Pacific Division, CESPDPDO, 1455 Market Street, 2052B, San Francisco, California 94103-1399, Telephone: 415-503-6574, FAX: 415-503-6646.

In order for an RFA to be accepted by the Corps, we must determine that the form is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that the form was received by the Division Office within 60 days of the date of the NAP. It is not necessary to submit an RFA form to the Division Office unless you object to the determination in this letter.

We recommend you should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

This approved jurisdictional determination has been conducted to identify the limits of aquatic resources subject to U.S. Army Corps of Engineers jurisdiction under Section 404 of the Clean Water Act and/or Section 9 and 10 of the Rivers and Harbors Act for the particular site identified in this request.

We appreciate feedback, especially about interaction with our staff and our processes.

Please refer to identification number SPK-2016-00484 in any correspondence concerning this project. If you have any questions, please contact Craig Brown at Saint George Regulatory Office, 196 East Tabernacle Street, Suite 30, Saint George, Utah 84770-3474, by email at [Craig.J.Brown@usace.army.mil](mailto:Craig.J.Brown@usace.army.mil), or telephone at (435) 986-3979. For program information or to complete our Customer Survey, visit our website at [www.spk.usace.army.mil/Missions/Regulatory.aspx](http://www.spk.usace.army.mil/Missions/Regulatory.aspx).

Sincerely,



Jason A. Gipson  
Chief, Utah/Nevada Section

Enclosures

cc

Jason Perock, Nevada Department of Transportation: [JPerock@dot.nv.gov](mailto:JPerock@dot.nv.gov)

James Murphy, Storm Water Division, Nevada Department of Transportation:  
[JMurphy@dot.nv.gov](mailto:JMurphy@dot.nv.gov)