



**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): [August 20, 2020](#).

ORM Number: [201800842](#).

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

Review Area Location<sup>1</sup>: State/Territory: [CA](#). City: [Elk Grove](#). County/Parish/Borough: [Sacramento](#).

Center Coordinates of Review Area: Latitude [38.386656](#). Longitude [-121.347567](#).

**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).

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



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REGULATORY PROGRAM  
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**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. acres	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. 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.

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)): <sup>4</sup>			
Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
D7	0.016 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	Two aquatic classifications occur within the project site: the agriculture pond and agriculture ditch. The agriculture pond feature is characterized by man-made depressions in the ground that hold ponded water. Historically, ground-

<sup>2</sup> 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.

<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 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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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
				<p>water was pumped into the agricultural pond. The pond would hold the water until it was used for irrigation (pumped into a sprinkler system). This drainage ditch is located along the perimeter of the project site would catch the irrigation runoff and return to the pond.</p> <p>The on-site pump has now been removed and the pond collects rainwater that flows in from the ditches. It works as a catchment pond, holding rainwater that is brought in from the ditches.</p> <p>In the past and its current state, the agricultural ditches capture stormwater runoff and conveys these flows to the pond where it is retained until the water evaporates or percolates. They do not contribute surface water flow in a typical year.</p> <p>Please also see comments in Section III C.</p>
D8	0.025	Acre	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	See above.
D9	0.017	acre	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	See above.
D5	0.007	acre	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	See above.
D10	0.044	acre	(b)(1) Lake/pond or impoundment	See above.



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REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
			that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	
D11	0.014	acre	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	See above.
P1	0.257	acre	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	See above.
D1	0.094	acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	See above.
D2	0.024	acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	See above.
D3	0.101	acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	See above
D4	0.107	acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	See above.
D6	0.138	acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	See above



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NAVIGABLE WATERS PROTECTION RULE**

**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: [City of Elk Grove , Elk Grove Sport Park Complex, Preliminary Jurisdiction Delineation Report, and May 16, 2018, Figure 5, Delineation of Aquatic Features, Elk Grove, CA.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A .](#)

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

Photographs: [Aerial: Google Earth Pro, 7.3.3.7692, September 2019 elevation 0, eye alt 2347 ft, Latitude 38.375100, Longitude -121.345091, Retrieved August 18, 2020 .](#)

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

Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\).](#)

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

USDA NRCS Soil Survey: [Survey provided by City of Elk Grove, Elk Grove Sports Sprots Park Complex , Preliminary Jurisdiction al Delineation Report, prepared by Hunting Environmental - NRCS \(US Department of Agriculture, Natural Resources Conservation Service. 2018a. \(NRCS\) Web Soil Survey 2.3 \(<http://websoilsurvey.nrcs.usda.gov/>\).](#)

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

USGS topographic maps: [Title\(s\) and/or date\(s\).](#)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	<a href="#">N/A.</a>
<a href="#">USDA Sources</a>	<a href="#">N/A.</a>
<a href="#">NOAA Sources</a>	<a href="#">N/A.</a>
<a href="#">USACE Sources</a>	<a href="#">N/A.</a>
<a href="#">State/Local/Tribal Sources</a>	<a href="#">N/A.</a>
<a href="#">Other Issues</a>	<a href="#">N/A.</a>

**B. Typical year assessment(s):** [Precipitation that falls as rain ranges from an average high of 3.84inches in January to a low of 0.01 inches in July, for a total average annual rainfall of 17.37 inches.](#)

**C. Additional comments to support AJD:** [Two aquatic classifications occur within the projec site. The agriculture pond and agriculture ditch. The agriculture pond feature is characterized by man-made depressions in the ground that hold ponded water. Historically, ground-water was pumped into the agricultural pond. The pond would hold the water until it was used for irrigation \(pumped into a sprinkler system\). Surface water sheet-flows into a network of man-made agricultural drainage ditches which are](#)



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found throughout the interior of the project area. The network of ditches is interconnected through a variety of culverts. The ditches convey water around the project site and eventually all flow into the agricultural pond on-site. The drainage ditches along the perimeter of the project site would catch the irrigation runoff and return to the pond. The on-site pump has now been removed and the pond collects rainwater that flows in from the ditches. It works as a catchment pond, holding rainwater that is brought in from the ditches. In its current state, the agricultural ditches capture stormwater runoff and conveys these flows to the pond where it is retained until the water evaporates or percolates. There is a small culvert that connects one ditch to a roadside ditch along Grant Line Road; however, the culvert elevation is only breached during flooding events.