



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): November 23, 2020

ORM Number: SPK-2017-00275

Associated JDs: SPK-2004-00683 Bella Vista Ranch

Review Area Location¹: See attached map.

State/Territory: NV City: County/Parish/Borough: Washoe County

Center Coordinates of Review Area: Latitude 39.4503 Longitude -119.7233

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)²

§ 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)³

(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
Steamboat Creek PS-1	0.525 acres	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Steamboat Creek is a perennial tributary that contributes annual flows to the Truckee River, which was established as a TNW in a June 11, 2008 determination.

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):

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

² If the navigable water is not subject to the ebb and flow of the tide and 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.

³ 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.

⁴ 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.

⁵ 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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(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A	N/A	N/A	N/A

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
OR-1	0.066 acres	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff	OR-1 is a constructed wetland intended to serve as stormwater treatment before water enters Steamboat Creek from the Bella Vista Ranch Housing Development. These features were a required component of the approved mitigation plan for the development and are functioning as designed.
OR-2	0.008 acres	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff	OR-2 is a constructed wetland intended to serve as stormwater treatment before water enters Steamboat Creek from the Bella Vista Ranch Housing Development. These features were a required component of the approved mitigation plan for the development and are functioning as designed.

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: *Wetland Delineation for the ±2.4-acre South Meadows Parkway Bridge Study Area, City of Reno, Washoe County, Nevada, March 2020.*

This information is sufficient for purposes of this AJD.

Rationale: *The above listed report with the additional information that was submitted July 31, 2020 provides the information needed to support this determination.*

Data sheets prepared by the Corps: *Title(s) and/or date(s).*

Photographs: *Wetland Delineation for the ±2.4-acre South Meadows Parkway Bridge Study Area, City of Reno, Washoe County, Nevada, March 2020, Figures 4a-4b.*

Corps Site visit(s) conducted on: *March 3, 2020, J. Thomason, Senior PM attended with project proponent and wetland consultant.*

Previous Jurisdictional Determinations (AJDs or PJDs): *SPK-2004-00683 Bella Vista Ranch, December 2010.*

Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

USDA NRCS Soil Survey: *Wetland Delineation for the ±2.4-acre South Meadows Parkway Bridge Study Area, City of Reno, Washoe County, Nevada, March 2020, Figure 3.*

USFWS NWI maps: *Title(s) and/or date(s).*

USGS topographic maps: *Wetland Delineation for the ±2.4-acre South Meadows Parkway Bridge Study Area, City of Reno, Washoe County, Nevada, March 2020, Figure 1.*

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

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⁵ 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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Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS National Water Information System: Web Interface, USGS Station Number 10349980 STEAMBOAT CK AT CLEANWATER WAY NR RENO, NV. Accessed November 25, 2020,
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** The APT was used to evaluate the Steamboat Creek flow as observed during the March 3, 2020 site visit, which is accurately reflected in the site photos in the Wetland Delineation Report. The study area was experiencing a mild drought with drier than normal conditions in the three months leading up to the site visit, although January was documented as normal conditions. Even under these drier than normal conditions, Steamboat Creek was contributing observable and measurable flow to the Truckee River, a TNW. The USGS maintains a stream gauge on Steamboat Creek near the confluence with the Truckee River. According to the data available on the USGS National Water Information System: Web Interface, the minimum flow measured at this site over the last 27 years was 8.94 cubic feet per second, thus indicating that Steamboat Creek contributes flow to the Truckee River, a TNW during typical and non-typical years.
- C. Additional comments to support AJD:** Both OR-1 and OR-2 are constructed wetland features that were designed and constructed as stormwater treatment areas, per the approved mitigation plan for the adjacent Bella Vista Ranch housing development, SPK-2004-00683. While the proposed project area is located outside of the mitigation site boundary for the SPK-2004-00683 project, it is located immediately adjacent to it and the stormwater treatment requirements were implemented and required for the entire development, which extends past the mitigation boundary.

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