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 25, 2021.
ORM Number: SPK-2021-00066.
Associated JDs: N/A .
Review Area Location[1]: State/Territory: California. City: Olympic Valley. County/Parish/Borough: Placer.
Center Coordinates of Review Area: Latitude 39.20159. Longitude -120.23784.

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).

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.	acres	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.	acres	N/A.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
IS 1	0.11	acres	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This feature has a well-defined topographic swale in steep terrain. Seasonal flows occur through storm runoff and snowmelt. These flows

[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 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.
[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 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.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
				are extended into much of the dry season by groundwater discharge that occurs at several locations in the channel bed for much of the year.

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)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
ES 1	0.02	acres	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature flows only in direct response to precipitation events.

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: Aquatic Resources Delineation for the ±7.89-Acre Rosser Parcel Study Area, Figure 4 Photographs dated December 2020.
This information is. sufficient for purposes of this AJD.
Rationale: N/A.

☐ Data sheets prepared by the Corps: N/A.

☒ Photographs: Aerial and Other. Ground photos provided in the delineation report taken on September 20, 2013. Aerial Imagery: GoogleEarth 7.3.3.7692 (December 31, 2004, June 11, 2005,

[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.

May 24, 2009, July 10, 2010, June 14, 2011, April 29, 2014, April 16, 2015, August 11, 2017, and June 7, 2018) Olympic Valley, California.

☐ Corps site visit(s) conducted on: N/A.

☐ Previous Jurisdictional Determinations (AJDs or PJDs): N/A.

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

☐ USDA NRCS Soil Survey: N/A.

☒ USFWS NWI maps: U.S. Fish and Wildlife Service. Publication date March 2021. National Wetlands Inventory website. U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. https://www.fws.gov/wetlands/data/Mapper.html.

☒ USGS topographic maps: USGS. (2019). Topographic Map Olympic Valley, California. 1:18,056 scale. retrieved form https://ngmdb.usgs.gov/topoview/viewer/#15/39.2105/-120.2658.

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

B. Typical year assessment(s): For the past decade water availibility within the study area has varied. The wetest periods of time are in early spring and winter due to the project area being in Western Mountain Valley habitat above 6000 feet elevation. Snowmelt has a direct impact of ES-1 and is the main component to its depresional and erosive features. Seasonal impacts such as snowmelt and spring rainfall inudate IS-1 and extend its flows into Squaw Creek. Ground water discharge and variance over the past decade in percipitation controls the flow and seasonal connection as IS-1 is not always flowing into Squaw Creek; the majority of the stream is dry during the summer. On site ground photos taken by consultant on August 2, 2013, display the wetland presence in the dry season. Both wetlands meet storm water drainages that flow into Squaw Creek under developments below the study site.

C. Additional comments to support AJD: Groundwater discharge is prevalent in IS1 and along the upper portions in the study area and therefore supports aquatic vegetation. The vegetation within IS1 were faculatative wet species in accordance with the 2018 National Wetland Plant List. The upland riparian adjacent to IS1 includes numerous faculatative wet species. Seasonal flow to IS1 is extended via the groundwater discharge at two portions on the upper part of the stream. As snow and spring rainfalls come to an end, water availibility is present only within the riparian zones of IS1 where water is absorbed. ES1 is dominated by upland vegitation with just enough flow to create a bed and bank. Both aquatic features flow into Squaw Creek which flows for two miles into the Truckee River which flows into Lake Tahoe.