



**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): [July 19, 2021](#).

ORM Number: [SPK-2021-00268](#).

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

Review Area Location¹: State/Territory: [California](#). City: [Grimes](#). County/Parish/Borough: [Colusa](#).

Center Coordinates of Review Area: Latitude [39.08206°](#). Longitude [-121.89414°](#).

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: [The study area is located in an upland floodplain outside of the OHWM of the Sacramento River. There are no water features, including wetlands, of any kind in the entire review area.](#)
- 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).

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



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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 |
| 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)): ⁴ | | | |
|--|----------------|------------------------|---------------------------------------|
| Exclusion Name | Exclusion Size | Exclusion ⁵ | Rationale for Exclusion Determination |
| N/A. | N/A. acres | N/A. | N/A. |

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.

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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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: [Request for Jurisdictional Verification of the Aquatic Resource Delineation for the Grimes Small Communities Flood Risk Reduction Geotechnical Exploration Project, Colusa County, California SPK-2021-00268, dated July 2021, prepared by ICF International.](#)

This information is sufficient for purposes of this AJD.

Rationale: [This report sufficiently describes delineation area, vegetation, and soils.](#)

Data sheets prepared by the Corps: [N/A.](#)

Photographs: [Aerial and Other. Aerial and Other. \(1\) Request for Jurisdictional Verification of the Aquatic Resource Delineation for the Grimes Small Communities Flood Risk Reduction Geotechnical Exploration Project, Colusa County, California SPK-2021-00268, dated July 2021, prepared by ICF International; \(2\) Digital Globe version 2020.Q3.R2.2582 \(31 March 2017\) Colusa County, California. Latitude 39.08206°N, Longitude -121.89414°W, Retrieved July 19, 2021, from https://evwhs.digitalglobe.co.](#)

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: [Soil Map-Colusa County, California, and Sutter County, California, dated June 1, 2020 .](#)

USFWS NWI maps: [N/A.](#)

USGS topographic maps: [N/A.](#)

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. |
| FEMA/FIRM maps | Firm map 06011C0700F effective May 15, 2003, retrieved on July 20, 2021, at https://msc.fema.gov/portal/search?AddressQuery=-121.89414%2C%2039.08206#searchresultsanchor. |

B. Typical year assessment(s): [The Corps' Antecedent Precipitation Tool at the time of the March 31, 2017, Digital Globe aerial photo that was taken, the study area was wetter than normal and in the wet season. The drought index indicated that the study area was extremely wet. The March 31, 2017, photo did not show clear and evident signatures of surface hydrology within the study area that would convey water directly or indirectly to any \(1\)-\(3\) waters.](#)



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C. Additional comments to support AJD: The project site is located along the west levee, and within the floodplain, of the Sacramento River. Aerial imagery, dated March 31, 2017, obtained for the delineation area indicates the delineation site is outside of the ordinary high water mark (OHWM) for the Sacramento River. Stream gage data was obtained from the California Data Exchange website (CDEC), on July 19, 2021, for the Sacramento River below Wilkins Slough gage (WLK), for a 30-day period from March 1, 2017, to March 31, 2017. The stream gage data showed peak flows ranging from 19,000 to 26,000 cfs for this date range and confirmed the location of the OHWM.