



**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 30, 2021](#).

ORM Number: [SPK-2021-00580](#).

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

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

Center Coordinates of Review Area: Latitude [39.74238](#). Longitude [-121.78570](#).

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).

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
NAW01	0.030 acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 370 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters.

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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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
				The feature does not abut the road and there is no culvert or other connection present.
NAW02	0.008	acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 420 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.
NAW03	0.003	acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 350 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.
NAW04	0.008	acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 360 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.
NAW05	0.008	acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 290 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.
NAW06	0.032	acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 175 feet north of the nearest potential waterway and is not within a 100-year floodplain.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
				The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.
NAW07	0.016	acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 290 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.
NAW08	0.003	acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 230 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.
NAW09	0.007	acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 160 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.
NAW10	0.002	acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 250 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.
NAW11	0.003	acres	(b)(1) Non-adjacent wetland.	This feature is located



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
				approximately 250 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.
NAW12	0.005	acres	(b)(1) Non-adjacent wetland.	This feature is located approximately 215 feet north of the nearest potential waterway and is not within a 100-year floodplain. The waterway is separated by grassland and an improved two-lane road with curbs and gutters. The feature does not abut the road and there is no culvert or other connection present.

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: [Draft Aquatic Resource Delineation, Stomer Oak Valley, Chico, California, dated June 2021.](#)

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: [Other: Site photographs submitted by the applicant, taken May 17, 2021.](#)

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

USFWS NWI maps: [NWI mapping accessed online, August 30, 2021.](#)

USGS topographic maps: [Chico 7.5 Min Quadrangle.](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
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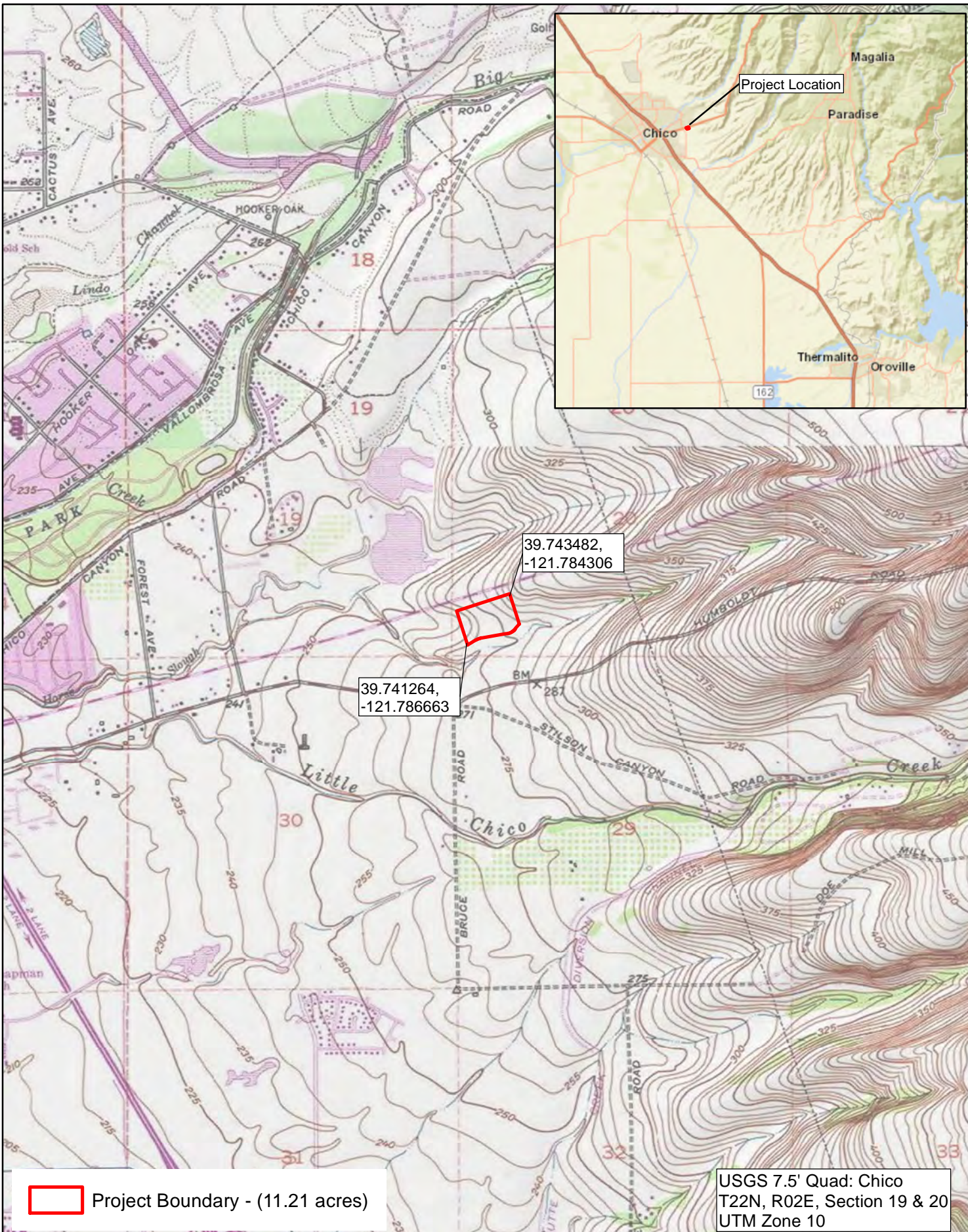


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Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Issues	N/A.

B. Typical year assessment(s): N/A, An assessment of typical year was not required for this determination.


C. Additional comments to support AJD: No tributaries or other (a)(1)-(a)(3) waters are present within or adjacent to the review area. A seasonal tributary to Dead Horse Slough is located 150 to 200 feet south of the review area and is separated by an improved two-lane road with curbs and gutters. None of the features abut the road and there are no culverts or other hydrologic connections present. The road is separated from the tributary by a minimum of 100 feet of uplands, ornamental trees, and a bike trail.



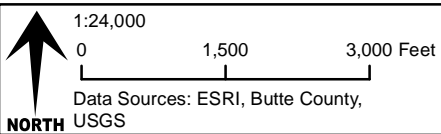
Project Location

39.743482,
-121.784306

39.741264,
-121.786663

 Project Boundary - (11.21 acres)

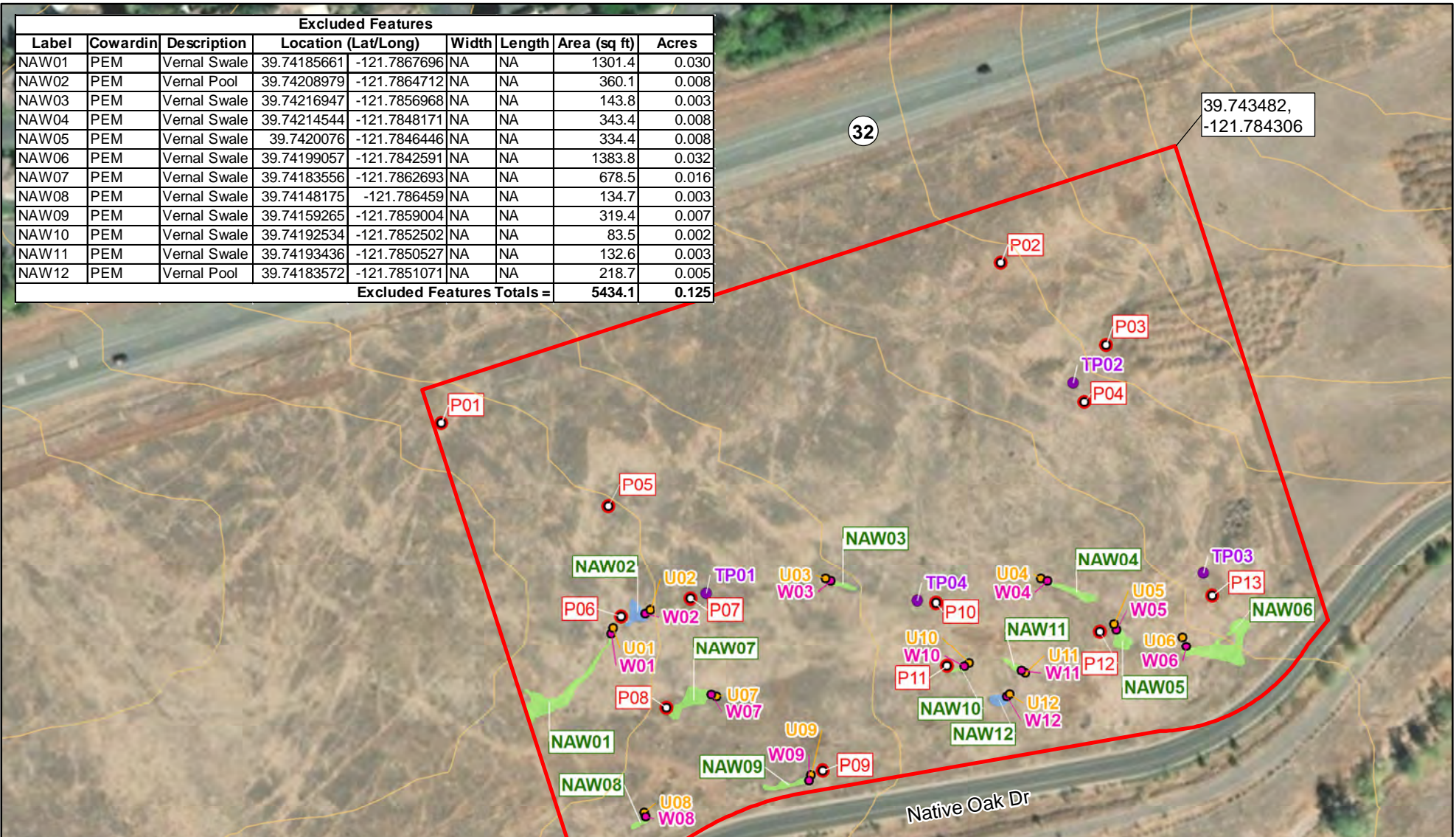
USGS 7.5' Quad: Chico
T22N, R02E, Section 19 & 20
UTM Zone 10



Stromer Oak Valley
Regional Location Map
Figure 1



Excluded Features								
Label	Cowardin	Description	Location (Lat/Long)		Width	Length	Area (sq ft)	Acres
NAW01	PEM	Vernal Swale	39.74185661	-121.7867696	NA	NA	1301.4	0.030
NAW02	PEM	Vernal Pool	39.74208979	-121.7864712	NA	NA	360.1	0.008
NAW03	PEM	Vernal Swale	39.74216947	-121.7856968	NA	NA	143.8	0.003
NAW04	PEM	Vernal Swale	39.74214544	-121.7848171	NA	NA	343.4	0.008
NAW05	PEM	Vernal Swale	39.7420076	-121.7846446	NA	NA	334.4	0.008
NAW06	PEM	Vernal Swale	39.74199057	-121.7842591	NA	NA	1383.8	0.032
NAW07	PEM	Vernal Swale	39.74183556	-121.7862693	NA	NA	678.5	0.016
NAW08	PEM	Vernal Swale	39.74148175	-121.786459	NA	NA	134.7	0.003
NAW09	PEM	Vernal Swale	39.74159265	-121.7859004	NA	NA	319.4	0.007
NAW10	PEM	Vernal Swale	39.74192534	-121.7852502	NA	NA	83.5	0.002
NAW11	PEM	Vernal Swale	39.74193436	-121.7850527	NA	NA	132.6	0.003
NAW12	PEM	Vernal Pool	39.74183572	-121.7851071	NA	NA	218.7	0.005
Excluded Features Totals =							5434.1	0.125

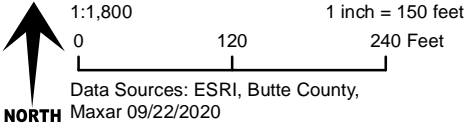


The features represented on this graphic are considered preliminary until written verification by the USACE

Coordinate System: NAD1983 California State Plane II (Feet)
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Vertical Datum: NAVD 88

Made in accordance with the Updated Map & Drawing Standards for the South Pacific Division Regulatory Program

- Project Boundary - (11.21 acres)
- 5 Foot Contours
- Photo Points - P#
- Test Pit - TP#
- Upland - U#
- Wetland - W#
- Not Adjacent Wetland - NAW#
 Vernal Swale



Stromer Oak Valley
Delineation of Aquatic Resources
 Figure 4

Delineation by: E. Gregg
 Map by: T. Morgan
gallaway ENTERPRISES
 GE: #21-067 Map Date: 06/02/2021