



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT**  
1325 J STREET  
SACRAMENTO CA 95814-2922

October 4, 2023

Regulatory Division (SPK-2023-00646)



Dear [REDACTED]:

We are responding to your September 13, 2023, request for an Approved Jurisdictional Determination for the Springs Preserve Cienega site. The approximately 5.21-acre project area is located within the Springs Preserve property at 333 S. Valley View Boulevard, Latitude 36.17184, Longitude -115.18516, Las Vegas, Clark County, Nevada (Enclosure 1).

Based on available information, we concur with your aquatic resources delineation for the site, as depicted on the enclosed May 13, 2023 "Aquatic Resources Delineation Report Springs Preserve Cienega Site" drawing [REDACTED] (Enclosure 2). Approximately 2,302 linear feet (0.31 acre) of aquatic resources, consisting of 425 linear feet (0.09 acre) of Las Vegas Creek (a relatively permanent waterway) and 1,880 linear feet (0.22 acre) of ditches are present within the survey area. This letter verifies that the location and boundaries of non-tidal waters conform with the ordinary high water mark definition at 33 CFR §328.3(c)(7), Regulatory Guidance Letter 05-05, and any applicable regional guide.

Of these aquatic resources, we have determined that the 425 linear feet (0.09 acre) of relatively permanent waterways—Las Vegas Creek—are waters of the United States pursuant to 33 CFR Part 328 and are regulated under Section 404 of the Clean Water Act; and the 1,880 linear feet (0.22 acre) of ditches—AR 2—are not waters of the U.S. regulated under Section 404 of the Clean Water Act or under Section 10 of the Rivers and Harbors Act.

We are enclosing a copy of the Approved Jurisdictional Determination Memorandum for Record for your site (Enclosure 3).

This approved jurisdictional determination is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 Code of Federal Regulations (CFR) Part 331. A Notification of Appeal Process (NAP) and Request for Appeal (RFA) Form is enclosed (Enclosure 4). If you request to appeal this determination, you must submit a completed RFA form to the South Pacific Division Office at the following address: Administrative Appeal Review Officer,

Army Corps of Engineers (Corps), South Pacific Division, CESPDPDO, 1455 Market Street, 2052B, San Francisco, California 94103-1399, Telephone: 415-503-6574, FAX: 415-503-6646.

In order for an RFA to be accepted by the Corps, we must determine that the form is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that the form was received by the Division Office within 60 days of the date of the NAP. It is not necessary to submit an RFA form to the Division Office unless you object to the determination in this letter.

We recommend that you provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

We appreciate feedback, especially about interaction with our staff and our processes.

Please refer to identification number SPK-2023-00646 in any correspondence concerning this project. If you have any questions, please contact [REDACTED] the Reno Regulatory Field Office, 300 Booth Street, Room 3050, Reno, Nevada 89509-1328, [REDACTED]. For program information or to complete our Customer Survey, visit our website at [www.spk.usace.army.mil/Missions/Regulatory.aspx](http://www.spk.usace.army.mil/Missions/Regulatory.aspx).

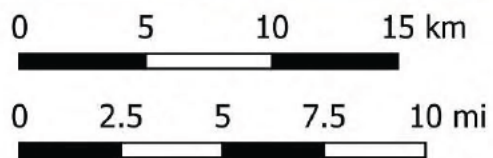
Sincerely,

[REDACTED]

Enclosures  
cc:

[REDACTED]








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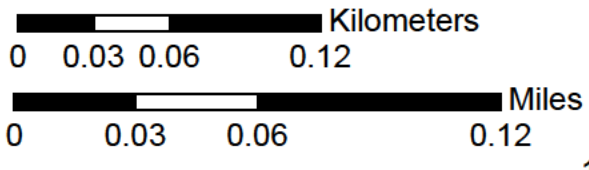
Base Imagery: Esri  
CRS: EPSG:3857 - WGS 84 / Pseudo-Mercator

**Cienega**  
**Project Location**





-  Survey Boundary
-  AR 2
-  Las Vegas Creek 1
-  Las Vegas Creek 2



N  
1:3,000

**Springs Preserve**  
**Cienega Modifications**  
**Aquatic Resources Delineation**

