



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

January 5, 2024

Regulatory Division (SPK-2022-00553)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]:

We are responding to your September 8, 2023 request for an approved jurisdictional determination for the Redwood Materials site. The 172-acre review area is located approximately 13 miles southwest of Fernley near 7050 USA Parkway, with a center point at Latitude 39.4961°, Longitude -119.4453°, Storey County, Nevada (enclosure 1).

Based on available information, we concur with your aquatic resources delineation for the site, as depicted on the enclosed August 24, 2022 "Redwood Materials, Aquatic Resources" drawing, prepared by Universal Engineering Sciences (enclosure 2). Approximately 4,533 linear feet (0.39 acre) of aquatic resources (ephemeral channel) 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.

We have determined that the feature identified as channel AR-1, totaling 4,533 linear feet (0.39 acre) is not a water 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 Form* 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, 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. For program information or to complete our Customer Survey, visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Please refer to identification number SPK-2022-00553 in any correspondence concerning this project. If you have any questions, please contact [REDACTED]

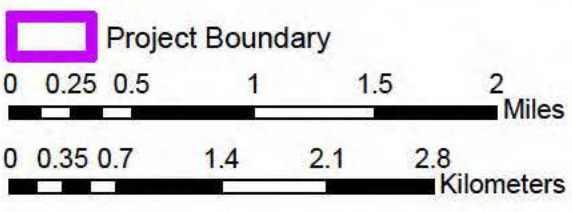
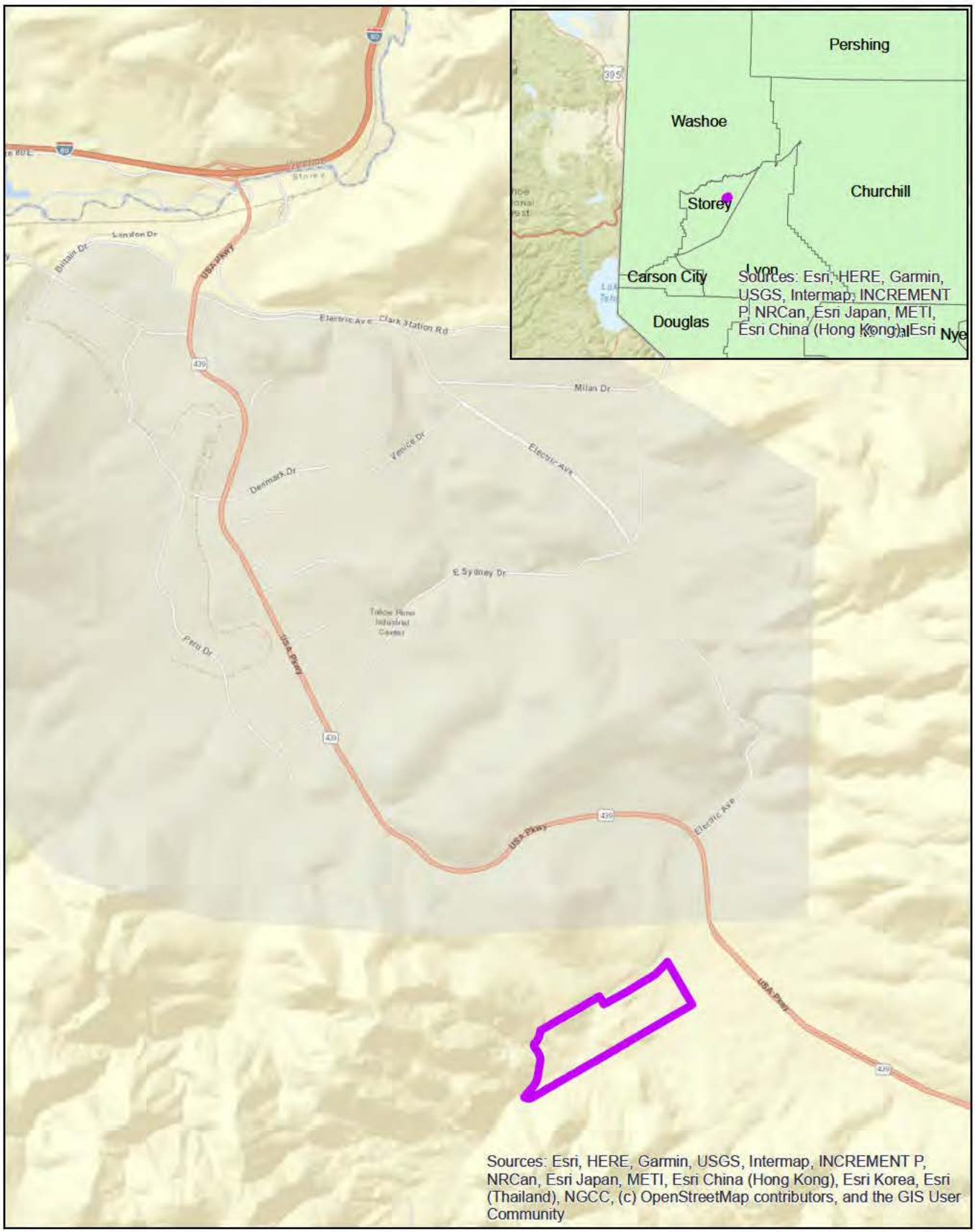
Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

Enclosures

cc:

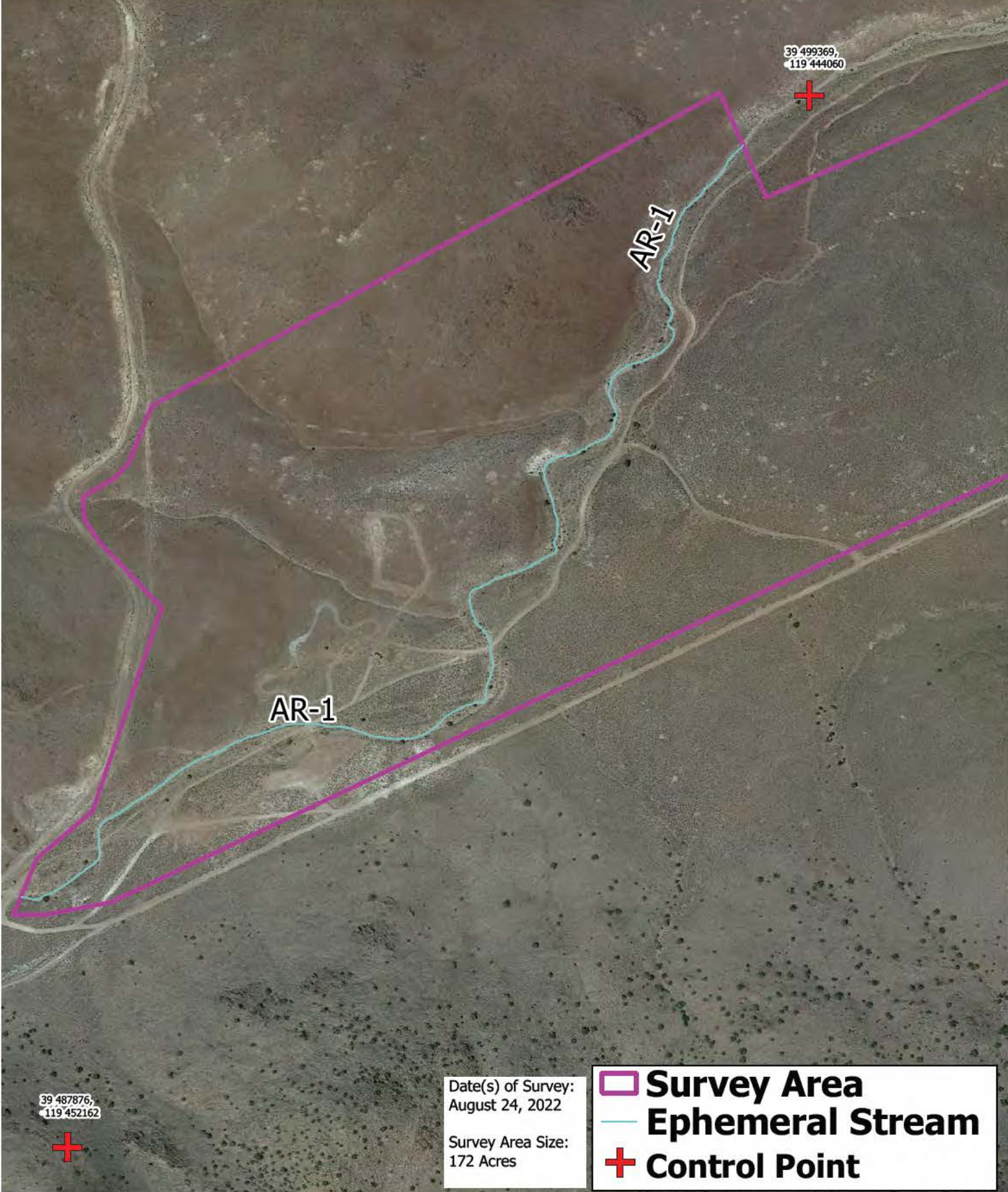
[REDACTED]



Redwood Materials Project Location & Vicinity



Aquatic Resource	Length (Feet)	Acres	OHWM Width (Feet)
AR 1	4,533	0.390	3.75



Date(s) of Survey:
August 24, 2022

Survey Area Size:
172 Acres

- Survey Area**
- Ephemeral Stream**
- + **Control Point**

39 487876,
119 452162



0 50 100 150 200 m

0 200 400 600 ft

Redwood Materials Aquatic Resources

Scale:
1:3,300 (1" = 275')

Base Imagery: Google Earth
CRS: EPSG:4326 - WGS 84

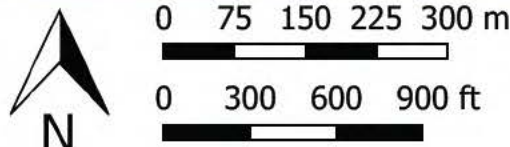
Aquatic Resource	Length (Feet)	Acres	OHWM Width (Feet)
AR 1	4,533	0.390	3.75



Date(s) of Survey:
August 24, 2022

Survey Area Size:
172 Acres

- Survey Area**
- Ephemeral Stream**
- US-1**
- + **Control Point**



Redwood Materials Aquatic Resources Overview

Scale:
1:5,800 (1" = 483')

Base Imagery: Google Earth
CRS: EPSG:4326 - WGS 84