



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

February 6, 2024

Regulatory Division (SPK-2022-00433)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]:

We are responding to your September 7, 2022, request for an approved jurisdictional determination for the Mossback Land Delineation site. The approximately 7.35-acre project site is located near Anderson Creek, Latitude 40.43462°, Longitude -122.26792°, within the City of Anderson, Shasta County, California.

Based on available information, we concur with your aquatic resources delineation for the site, as depicted on the enclosed August 18, 2022, *Aquatic Resources Delineation Mossback Land [REDACTED] Anderson California* drawing(s) prepared by [REDACTED] (enclosure 1). Approximately 0.33-acre of aquatic resources, consisting of 0.02-acre of emergent wetland, 0.31-acre of pond, and 0.003-acre of stream are present within the survey area. This letter verifies that the location and boundaries of wetlands were delineated consistent with the wetland definition at 33 CFR §328.3(c)(16), the 1987 *Corps of Engineers Wetlands Delineation Manual* (Wetlands Research Program Technical Report Y-87-1) and the applicable regional supplements; and 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 those features WF-A, WF-B, WF-5, and WF-11 totaling 0.33-acre 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, because these wetlands are not adjacent and do not share a continuous surface connection to a jurisdictional (a)1, a(2), or (a)(3) water.

We are enclosing a copy of the *Approved Jurisdictional Determination Form* for your site (enclosure 2).

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 3). 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, CESPD-PDO, 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-2022-00433 in any correspondence concerning this project. If you have any questions, please contact [REDACTED]. For program information or to complete our Customer Survey, visit our website at <http://www.spk.usace.army.mil/Missions/Regulatory.aspx>.

Sincerely,

[REDACTED]

[REDACTED]

Enclosures

cc(w/encls):

[REDACTED]

**AJD STUDY AREA
AQUATIC RESOURCES FEATURES
WETLANDS**

Emergent Wetland	
Feature ID	Acreage
WF-5	0.011
WF-A	0.006
	0.017

Pond	
Feature ID	Acreage
WF-11	0.308
	0.308

Other Waters	
Feature ID	Acreage
WF-B	0.003
	0.003

Total **0.328**

**AJD Study Area
Aquatic Resources
Total:** **0.328 acre**

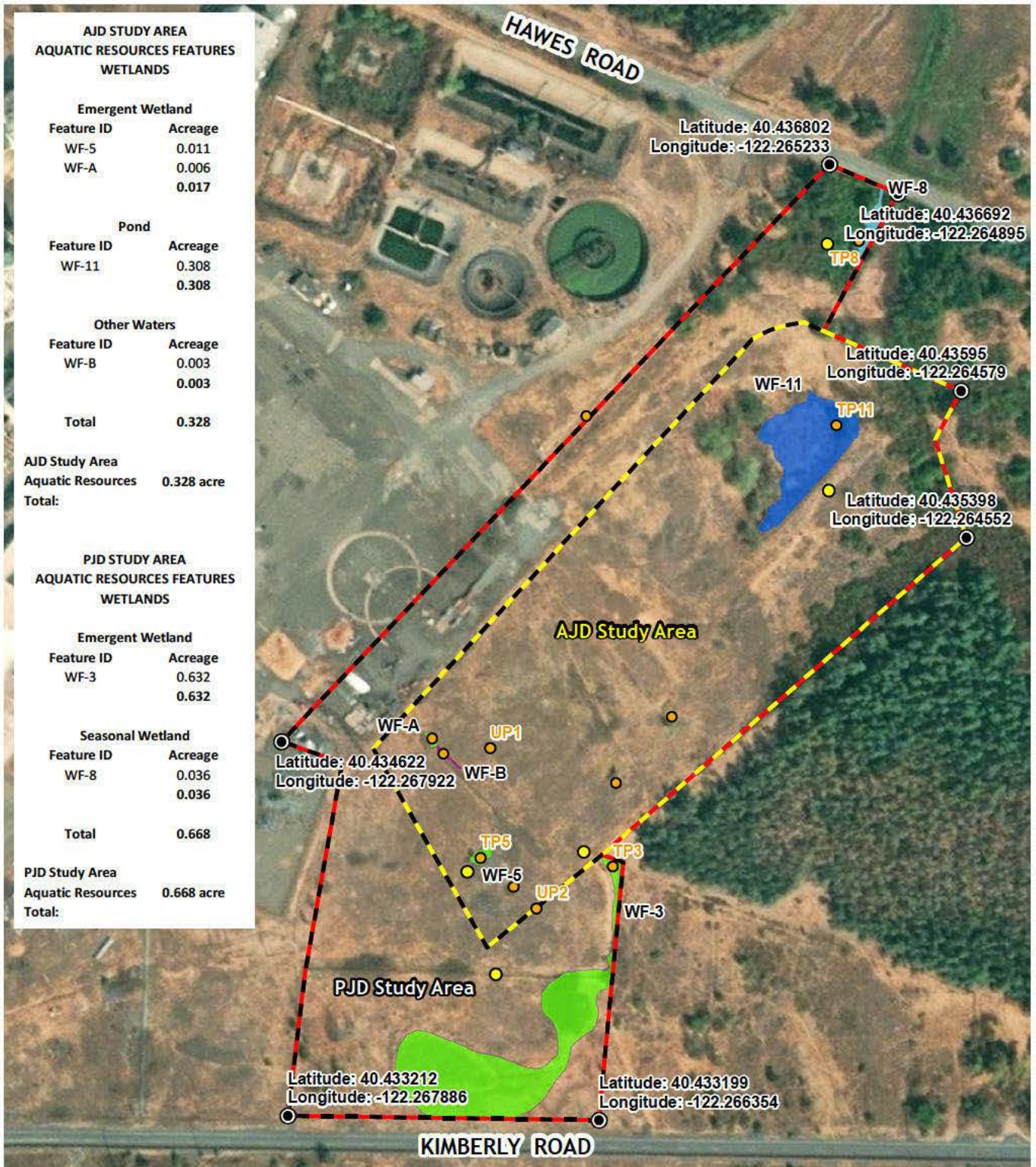
**PJD STUDY AREA
AQUATIC RESOURCES FEATURES
WETLANDS**

Emergent Wetland	
Feature ID	Acreage
WF-3	0.632
	0.632

Seasonal Wetland	
Feature ID	Acreage
WF-8	0.036
	0.036

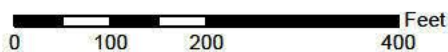
Total **0.668**

**PJD Study Area
Aquatic Resources
Total:** **0.668 acre**



- Data Point
- Photo Point
- Control Point
- AJD Study Area
- PJD Study Area
- Property Boundary
- Emergent Wetland
- Seasonal Wetland
- Other Water
- Pond

Date prepared: April 20, 2022
 Revised: August 18, 2022
 Prepared by: [REDACTED]



AQUATIC RESOURCES DELINEATION
 [REDACTED]
 ANDERSON, CALIFORNIA

SOURCE: MAXAR 9/15/2021 AERIAL PHOTOGRAPH 1 inch = 200 feet