



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

CESPK-RDI-N

31 March 2025

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Approved Jurisdictional Determination in accordance with the "Revised Definition of 'Waters of the United States'"; (88 FR 3004 (January 18, 2023) as amended by the "Revised Definition of 'Waters of the United States'; Conforming" (8 September 2023) ,¹ [SPK-2023-00099]

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.² AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.³

On January 18, 2023, the Environmental Protection Agency (EPA) and the Department of the Army ("the agencies") published the "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (January 18, 2023) ("2023 Rule"). On September 8, 2023, the agencies published the "Revised Definition of 'Waters of the United States'; Conforming", which amended the 2023 Rule to conform to the 2023 Supreme Court decision in *Sackett v. EPA*, 598 U.S., 143 S. Ct. 1322 (2023) ("*Sackett*").

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. For the purposes of this AJD, we have relied on Section 10 of the Rivers and Harbors Act of 1899 (RHA),⁴ the 2023 Rule as amended, as well as other applicable guidance, relevant case law, and longstanding practice in evaluating jurisdiction.

1. SUMMARY OF CONCLUSIONS.

¹ While the Revised Definition of "Waters of the United States"; Conforming had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

² 33 CFR 331.2.

³ Regulatory Guidance Letter 05-02.

⁴ USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

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a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).

Aquatic Resource Name	Size (acres)	Cowardin Code	Water Type	Authority
S-1 (Walker River)	0.452	R5UB	River	404
S-2	0.022	R6	River	None
S-3	0.009	R6	River	None
S-4	0.234	R6	River	None
S-5	0.004	R6	River	None
S-6	0.081	R6	River	None
S-7	0.012	R6	River	None
S-8	0.004	R6	River	None
S-9	0.006	R6	River	None
S-10	0.003	R6	River	None
S-11	0.012	R6	River	None
S-12	0.059	R6	River	None
S-13	0.070	R6	River	None
S-14	0.002	R6	River	None
S-15	0.009	R6	River	None
S-16	0.002	R6	River	None
S-17	0.054	R6	River	None
S-18	0.088	R6	River	None
S-19	0.034	R6	River	None
S-20	0.081	R6	River	None
S-21	0.010	R6	River	None
S-22	0.215	R6	River	None
S-23	0.100	R6	River	None
S-24	0.056	R6	River	None
S-25	0.221	R6	River	None
S-26	0.001	R6	River	None
S-27	0.063	R6	River	None
S-28	0.006	R6	River	None
S-29	0.008	R6	River	None
S-30	0.009	R6	River	None
S-31	0.019	R6	River	None
S-32	0.010	R6	River	None

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Aquatic Resource Name	Size (acres)	Cowardin Code	Water Type	Authority
S-33	0.013	R6	River	None
S-34	0.010	R6	River	None
S-35	0.024	R6	River	None
S-36	0.004	R6	River	None
S-37	0.043	R6	River	None
S-38	0.535	R6	River	None
S-39	0.188	R6	River	None
S-40	1.259	R6	River	None
S-41	0.218	R6	River	None
S-42	0.015	R6	River	None
S-43	0.550	R6	River	None
S-44	0.121	R6	River	None
S-45	0.013	R6	River	None
S-46	0.009	R6	River	None
S-47	0.011	R6	River	None
S-48	0.008	R6	River	None
S-49	0.024	R6	River	None
S-50	0.075	R6	River	None
S-51	0.018	R6	River	None
S-52	0.023	R6	River	None
S-53	0.020	R6	River	None
S-54	0.015	R6	River	None
S-55	0.011	R6	River	None
S-56	0.261	R6	River	None
S-57	0.033	R6	River	None
S-58	0.026	R6	River	None
S-59	0.019	R6	River	None
S-60	0.086	R6	River	None
S-61	0.045	R6	River	None
S-62	0.049	R6	River	None
S-63	0.143	R6	River	None
S-64	0.004	R6	River	None
S-65	0.006	R6	River	None
S-66	0.011	R6	River	None
S-67	0.047	R6	River	None
S-68	0.468	R6	River	None
S-69	0.018	R6	River	None
S-70	0.010	R6	River	None

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Aquatic Resource Name	Size (acres)	Cowardin Code	Water Type	Authority
S-71	0.030	R6	River	None
S-72	0.028	R6	River	None
S-73	0.008	R6	River	None
S-74	0.132	R6	River	None
S-75	0.003	R6	River	None
S-76	0.038	R6	River	None
S-77	0.044	R6	River	None
S-78	0.236	R6	River	None
S-79	0.106	R6	River	None
S-80	0.001	R6	River	None
S-81	0.001	R6	River	None
S-82	0.001	R6	River	None
S-83	0.009	R6	River	None
S-84	0.128	R6	River	None
S-85	0.001	R6	River	None
S-86	1.262	R6	River	None
S-87	0.010	R6	River	None
S-88	0.010	R6	River	None
S-89	0.012	R6	River	None
S-90	0.005	R6	River	None
S-91	0.533	R6	River	None
S-92	0.002	R6	River	None
S-93	0.029	R6	River	None
S-94	0.015	R6	River	None
S-95	0.027	R6	River	None
S-96	0.012	R6	River	None
S-97	0.019	R6	River	None
S-98	0.131	R6	River	None
S-99	0.031	R6	River	None
S-100	0.023	R6	River	None
S-101	0.005	R6	River	None
S-102	0.031	R6	River	None
S-103	0.023	R6	River	None
S-104	0.038	R6	River	None
S-105	0.013	R6	River	None
S-106	0.016	R6	River	None
S-107	0.008	R6	River	None
S-108	0.062	R6	River	None

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Aquatic Resource Name	Size (acres)	Cowardin Code	Water Type	Authority
S-109	0.019	R6	River	None
S-110	0.030	R6	River	None
S-111	0.008	R6	River	None
S-112	0.001	R6	River	None
S-113	0.071	R6	River	None
S-114	0.002	R6	River	None
S-115	0.001	R6	River	None
S-116	0.002	R6	River	None
S-117	0.040	R6	River	None
S-118	0.030	R6	River	None
S-119	0.061	R6	River	None
S-120	0.227	R4	River	None
S-121	0.041	R6	River	None
S-122	0.001	R6	River	None
S-123	0.014	R6	River	None
S-124	0.019	R6	River	None
S-125	0.006	R6	River	None
S-126	0.013	R6	River	None
S-127	0.033	R6	River	None
S-128	0.011	R6	River	None
S-129	0.004	R6	River	None
S-130	0.012	R6	River	None
S-131	0.019	R6	River	None
S-132	0.009	R6	River	None
S-133	0.274	R6	River	None
S-134	0.288	R6	River	None
S-135	0.056	R6	River	None
S-136	0.023	R6	River	None
S-137	0.017	R6	River	None
S-138	0.005	R6	River	None
S-139	0.013	R6	River	None
S-140	0.077	R6	River	None
S-141	0.022	R6	River	None
S-142	0.010	R6	River	None
S-143	0.020	R6	River	None
S-144	0.006	R6	River	None
S-145	0.003	R6	River	None
S-146	0.026	R6	River	None

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Aquatic Resource Name	Size (acres)	Cowardin Code	Water Type	Authority
S-147	0.133	R6	River	None
S-148	0.047	R6	River	None
S-149	0.227	R6	River	None
S-150	0.033	R6	River	None
S-151	0.008	R6	River	None
S-152	0.049	R6	River	None
S-153	0.043	R6	River	None
S-154	0.020	R6	River	None
S-155	0.006	R6	River	None
S-156	0.020	R6	River	None
S-157	0.052	R6	River	None
S-158	0.348	R6	River	None
S-159	0.008	R6	River	None
S-160	0.015	R6	River	None
S-161	0.041	R6	River	None
S-162	0.002	R6	River	None
S-163	0.279	R6	River	None
S-164	0.009	R6	River	None
S-165	0.002	R6	River	None
S-166	0.051	R6	River	None
S-167	0.003	R6	River	None
S-168	0.008	R6	River	None
S-169	0.003	R6	River	None
S-170	0.014	R6	River	None
S-171	0.004	R6	River	None
S-172	0.005	R6	River	None
S-173	0.053	R6	River	None
S-174	0.029	R6	River	None
S-175	0.056	R6	River	None
S-176	0.029	R6	River	None
S-177	0.014	R6	River	None
S-178	0.043	R6	River	None
S-179	0.037	R6	River	None
S-180	0.028	R6	River	None
S-181	0.142	R6	River	None
S-182	0.028	R6	River	None
S-183	0.02	R6	River	None
S-184	0.221	R6	River	None

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Aquatic Resource Name	Size (acres)	Cowardin Code	Water Type	Authority
S-185	0.063	R6	River	None
S-186	0.011	R6	River	None
S-187	0.043	R6	River	None
S-188	0.003	R6	River	None
S-189	0.011	R6	River	None
S-190	0.022	R6	River	None
S-191	0.007	R6	River	None
S-192	0.046	R6	River	None
S-193	0.088	R6	River	None
S-194	0.047	R6	River	None
S-195	0.121	R6	River	None
S-196	0.025	R6	River	None
S-197	0.028	R6	River	None
S-198	0.014	R6	River	None
S-199	0.010	R6	River	None
S-200	0.030	R6	River	None
S-201	0.014	R6	River	None
S-202	0.005	R4	River	None
S-203	0.005	R6	River	None
S-204	0.112	R6	River	None
S-205	0.814	R6	River	None
S-206	0.016	R6	River	None
S-207	0.013	R6	River	None
S-208	0.029	R6	River	None
S-209	0.021	R6	River	None
S-210	0.008	R6	River	None
S-211	0.201	R6	River	None
S-212	0.003	R6	River	None
S-213	0.013	R6	River	None
S-214	0.335	R6	River	None
S-215	0.012	R6	River	None
S-216	0.256	R6	River	None
S-217	0.086	R6	River	None
S-218	0.084	R6	River	None
S-219	0.010	R6	River	None
S-220	0.314	R6	River	None
S-221	0.039	R6	River	None
S-222	0.032	R6	River	None

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Aquatic Resource Name	Size (acres)	Cowardin Code	Water Type	Authority
S-223	0.068	R6	River	None
S-224	0.386	R6	River	None
S-225	0.007	R6	River	None
S-226	0.028	R6	River	None
S-227	0.005	R6	River	None
S-228	0.072	R6	River	None
S-229	0.025	R6	River	None
S-230	0.006	R6	River	None
S-231	0.020	R6	River	None
S-232	0.043	R6	River	None
S-233	0.001	R6	River	None
S-234	0.001	R6	River	None
S-235	0.002	R6	River	None
S-236	0.051	R6	River	None
S-237	0.003	R6	River	None
S-238	0.002	R6	River	None
S-239	0.004	R6	River	None
S-240	0.024	R6	River	None
S-241	0.010	R6	River	None
S-242	0.014	R6	River	None
S-243	0.032	R6	River	None
S-244	0.009	R6	River	None
S-245	0.490	R6	River	None
S-246	0.500	R6	River	None
S-247	0.979	R6	River	None
S-248	0.188	R6	River	None
S-249	0.048	R6	River	None
S-250	0.023	R6	River	None
S-251	0.072	R6	River	None
S-252	0.005	R6	River	None
S-253	0.003	R6	River	None
S-254	0.018	R6	River	None
S-255	0.013	R6	River	None
S-256	0.022	R6	River	None
S-257	0.040	R6	River	None
S-258	0.020	R6	River	None
ID-1	189 linear feet	R4	Irrigation Ditch	None
ID-2	3730 linear	R4	Irrigation Ditch	None

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Aquatic Resource Name	Size (acres)	Cowardin Code	Water Type	Authority
	feet			
ID-3	1696 linear feet	R4	Irrigation Ditch	None
C-1	2302 linear feet	R4	Irrigation Ditch	404
C-2	820 linear feet	R4	Irrigation Ditch	404
P-1	0.006	PUB	Pond	None
P-2	3.653	PUB	Pond	None
W-1	2.811	PEM	Wetland	None
W-2	0.006	PEM	Wetland	None
W-3	0.076	PEM	Wetland	None
W-4	0.058	PEM	Wetland	None
W-5	0.403	PEM	Wetland	404
W-6	2.742	PSS	Wetland	404
W-7	0.625	PSS	Wetland	404
W-8	0.033	PSS	Wetland	None
W-9	1.323	PSS	Wetland	404

2. REFERENCES.

- a. “Revised Definition of ‘Waters of the United States,’” 88 FR 3004 (January 18, 2023) (“2023 Rule”)
- b. “Revised Definition of ‘Waters of the United States’; Conforming” 88 FR 61964 (September 8, 2023)
- c. *Sackett v. EPA*, 598 U.S. 651, 143 S. Ct. 1322 (2023)
- d. CESP-D-Z, “Stand-Alone Traditional Navigable Water Determination, Walker Lake in Nevada” (14 February 2022).

3. REVIEW AREA. The approximately 24-mile-long review area (Figure 1) is located eastward and southeastward of the Town of Yerington, Lyon County, Nevada. The northern end of the review area is located at Latitude: 39.130221, Longitude: -119.138219 while the southern end is located at Latitude: 38.908517, Longitude: -118.962642. The review area does not overlap with another AJD request; however, the overall project is associated with a previous AJD request with a different review area under the same file number. The review area is comprised of basin-fill aquifers which

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contain unconsolidated deposits near the valley floors which are flanked by consolidated rock. This tends to result in defined channels with ordinary-high water marks to be located at higher elevations (Figure 2 – Section A) which transitions at lower elevations to less defined channels that often include flood plains (Figure 3 – Section B).



Figure 1. Review Area Map

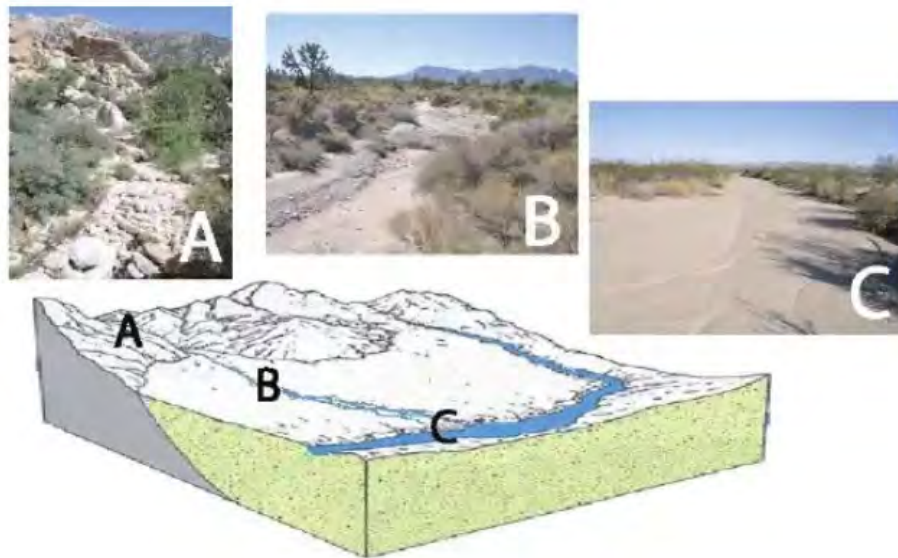


Figure 2. Typical Changes in Channel Form Along an Ephemeral Stream Channel (Caruthers Creek, California – Adapted from Arid West OHWM Manual)

4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), THE TERRITORIAL SEAS, OR INTERSTATE WATER TO WHICH THE AQUATIC RESOURCE IS CONNECTED. The nearest TNW to which the aquatic resources in the review area are connected to is Walker Lake (see References 2.d). Walker Lake was designated as a navigable-in-fact TNW on 14 February 2022 by South Pacific Division for past interstate and/or foreign commerce use.

5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, THE TERRITORIAL SEAS, OR INTERSTATE WATER. Aquatic resources in the review area ultimately flow into Walker Lake. The review area is comprised of hundreds of streams that mainly collect into an offsite aquatic resource called the “Perk Slough” which flows into the Walker River. The Walker River then flows into Walker Lake (see Figure 3).

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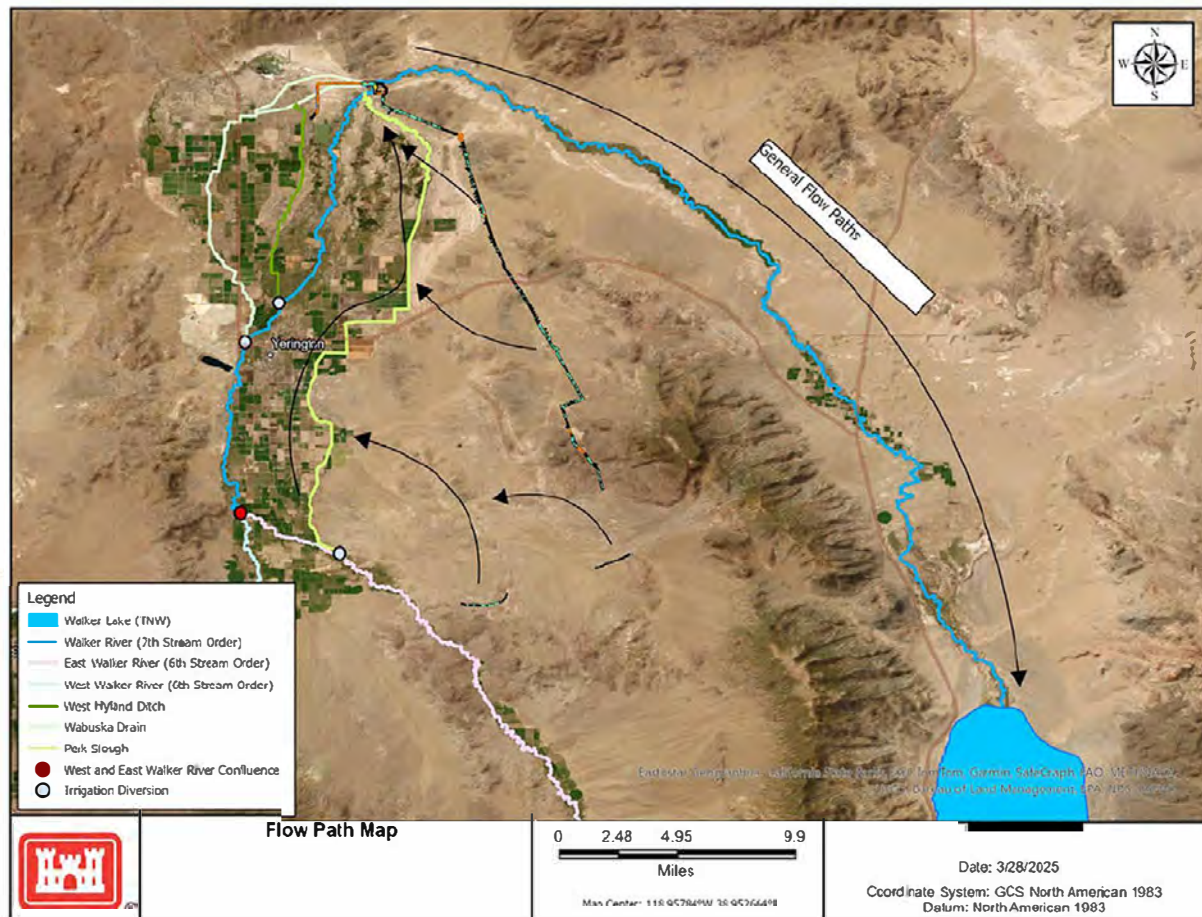


Figure 3. Flowpath Map

6. SECTION 10 JURISDICTIONAL WATERS⁵: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.⁶ N/A.

⁵ 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as “navigable in law” even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

⁶ This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

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7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the 2023 Rule as amended, consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the 2023 Rule as amended. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.

- a. Traditional Navigable Waters (TNWs) (a)(1)(i): N/A.
- b. The Territorial Seas (a)(1)(ii): N/A.
- c. Interstate Waters (a)(1)(iii): N/A.
- d. Impoundments (a)(2): N/A.
- e. Tributaries (a)(3):

S-1 (Walker River) 0.452 acres is a stream with ordinary high water mark indicators and flows year-round. The Walker River becomes a 7th stream order at the confluence of its west and east fork at Latitude: 38.894, Longitude: -119.180, and terminates into Walker Lake at Latitude: 38.777, Longitude: -118.721 (see Figure 4). The 7th stream order segment of the Walker River is approximately 76.4 river miles in length and that entire segment flows year-round. As the 7th stream order Walker River is a relatively permanent tributary of a TNW it meets the paragraph (a)(3) definition.



Figure 4. Stream Order Analysis of the Walker River

C-1 (2,302 linear feet) is an irrigation ditch with ordinary high water mark indicators. C-1 flows directly into the S-1 (Walker River) and functions as a tributary. In general, C-1 functions to return irrigation flows back into the Walker River from a series of primary irrigation ditches that receive water from diverted flows from the Walker River. C-1 can be found on USGS historic topographic maps dating back to 1957. When the irrigation gates are closed and C-1 receives no upstream contribution, part of the Walker River will backflow approximately 1,000 feet. For the purposes of determining Clean Water Act jurisdiction, there is no need to determine a relevant stream reach based on stream order as the entire primary irrigation segments that flow through Yerington receive upstream contributions of flow. As a result, C-1 for 100% of its reach does not flow in direct response to precipitation and is a relatively permanent standing or continuously flowing body of water.

C-2 (820 linear feet) (Wabuska Drain) is an irrigation ditch with ordinary high water mark indicators. C-2 flows into C-1 at Latitude: 39.150767, Longitude: -119.105161. Like C-1,

C-2 functions as a tributary of the Walker River and receives upstream contributions of flow in the form of irrigation water and is a relatively permanent standing or continuously flowing body of water.

f. Adjacent Wetlands (a)(4):

W-5 (0.403 acres) is a wetland that directly touches C-1, a relatively permanent tributary of a TNW via S-1, and as such this wetland has a continuous surface connection with an (a)(3) water and meets the (a)(4) definition.

W-6 (2.742 acres), W-7 (0.625 acres), and W-9 (1.323 acres) are wetlands that directly touch S-1, a relatively permanent tributary of a TNW, and as such these wetlands have a continuous surface connection with an (a)(3) water and meet the (a)(4) definition.

g. Additional Waters (a)(5): N/A.

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

a. Describe aquatic resources and other features within the review area identified in the 2023 Rule as amended as not “waters of the United States” even where they otherwise meet the terms of paragraphs (a)(2) through (5). Include the type of excluded aquatic resource or feature, the size of the aquatic resource or feature within the review area and describe how it was determined to meet one of the exclusions listed in 33 CFR 328.3(b).⁷ N/A.

b. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the 2023 Rule as amended (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

ID-1 (189 linear feet) is an irrigation ditch with ordinary high water mark indicators. ID-1 is a lateral irrigation ditch that terminates in uplands and does not flow into an (a)(1)-(2) water. ID-1 is not a tributary of an (a)(1)-(2) water and does not meet the terms of paragraphs (a)(2) through (5).

ID-2 (3,730) linear feet is an irrigation ditch with ordinary high water mark indicators. ID-2 is a tributary of an (a)(1) water as it flows into C-1, however, ID-2 is not a relatively permanent standing or continuously flowing body of water. ID-2 is not documented to receive irrigation flows.

⁷ 88 FR 3004 (January 18, 2023)

CESPK-RDI-N

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [SPK-2023-00099]

ID-3 (1,696 linear feet) is an irrigation ditch with ordinary high water mark indicators. ID-3 terminates in uplands and does not flow into an (a)(1)-(2) water. ID-3 is not a tributary of an (a)(1)-(2) water and does not meet the terms of paragraphs (a)(2) through (5).

S-2 through S-251 totaling approximately 18.766 acres were individually evaluated under the paragraph (a)(3) definition. These 250 aquatic resources contained ordinary high-water mark indicators and ultimately collect into the Walker River which then flows into Walker Lake and as such are tributaries of a TNW. However, these resources only flow for short periods of time in direct response to precipitation and are not relatively permanent standing or continuously flowing bodies of water for 100% of each respective stream reach, and as a result do not meet the paragraph (a)(3) definition.

P-1 (0.006 acres) is a pond that exhibits ordinary high water mark indicators. However, P-1 does not have a continuous surface connection to, nor does it flow into, any other jurisdictional water. Therefore, based on the criteria outlined in paragraph (a)(3) and (a)(5) provisions, P-1 is non-jurisdictional.

P-2 (3.653) is a pond that exhibits ordinary high water mark indicators. However, P-2 does not have a continuous surface connection to, nor does it flow into, any other jurisdictional water. Therefore, based on the criteria outlined in paragraph (a)(3) and (a)(5) provisions, P-1 is non-jurisdictional.

W-1 (2.811 acres) is a wetland that abuts ID-1, a non-jurisdictional ditch. ID-1 is a lateral irrigation ditch that receives flows from an unnamed ditch at Latitude: 39.1282757, Longitude: -119.1428631. From the point of diversion water flows towards W-1 for approximately 1,820 linear feet. The unnamed ditch receives irrigational flows and is a relatively permanent standing or continuously flowing body of water but is not a tributary. As such, W-1 does not have a continuous surface connection.

W-2 (0.006 acres), W-3 (0.076 acres), and W-4 (0.058 acres) are wetlands that have proximity to C-1 and C-2 but do not have a continuous surface connection to these waters as a manmade berm exists between C-1 and C-2 and the wetlands. The existence of this berm was confirmed during a site visit. As such these wetlands do not meet the paragraph (a)(4) definition.

W-8 (0.033 acres) is a wetland that is separated by approximately 10 feet of uplands from C-1 and approximately 40 feet of uplands from W-7 and no feature exists demonstrating a physical connection and as such W-8 does not have a continuous surface connection to a jurisdictional water.

CESPK-RDI-N

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [SPK-2023-00099]

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

a. Field visit conducted 5 March 2025.

b. "U.S. Army Corps of Engineers Aquatic Resources Delineation Report - Libra Solar Transmission Line Project" prepared by [REDACTED], dated February 7, 2025.

c. USGS National Hydrography Dataset High Resolution Plus for Hydrologic Unit 4 – 1605 accessed 28 February 2025.

d. USFWS National Wetland Inventory accessed 28 March 2025.

e. USGS 3D Elevation Program, 1/3 Arc Second n40w120 dated 13 March 2024 and accessed 28 March 2025.

f. USGS Topo Map "Parker Butte Quadrangle Nevada – Lyon County 7.5-Minute Series" dated 19 September 2021.

g. USGS Topo Map "Wabuska Quadrangle Nevada – Lyon County 7.5-Minute Series" dated 19 September 2021.

h. USGS Topo Map "Mason Butte Quadrangle Nevada – Lyon County 7.5-Minute Series" dated 19 September 2021.

10. OTHER SUPPORTING INFORMATION. N/A.

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.

[REDACTED]



Libra Solar Study Area - Wetland & Waterbody Survey Results

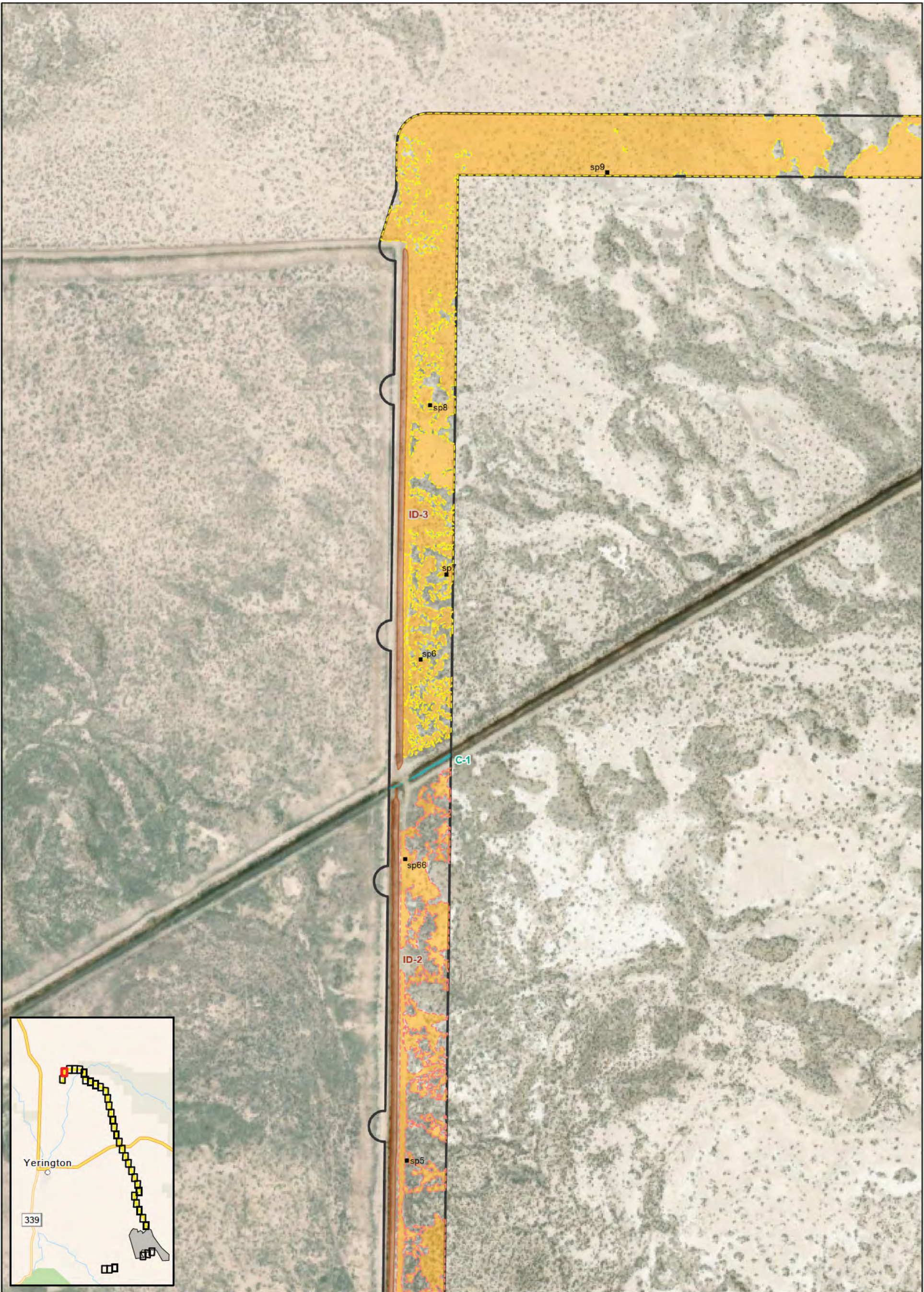
Legend

- Sample Plot (sp)
- Irrigation Ditch (ID)
- Wetland (W) - Palustrine Emergent (PEM)
- Pond (P)
- Playa Area 1
- Playa Area 1A
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

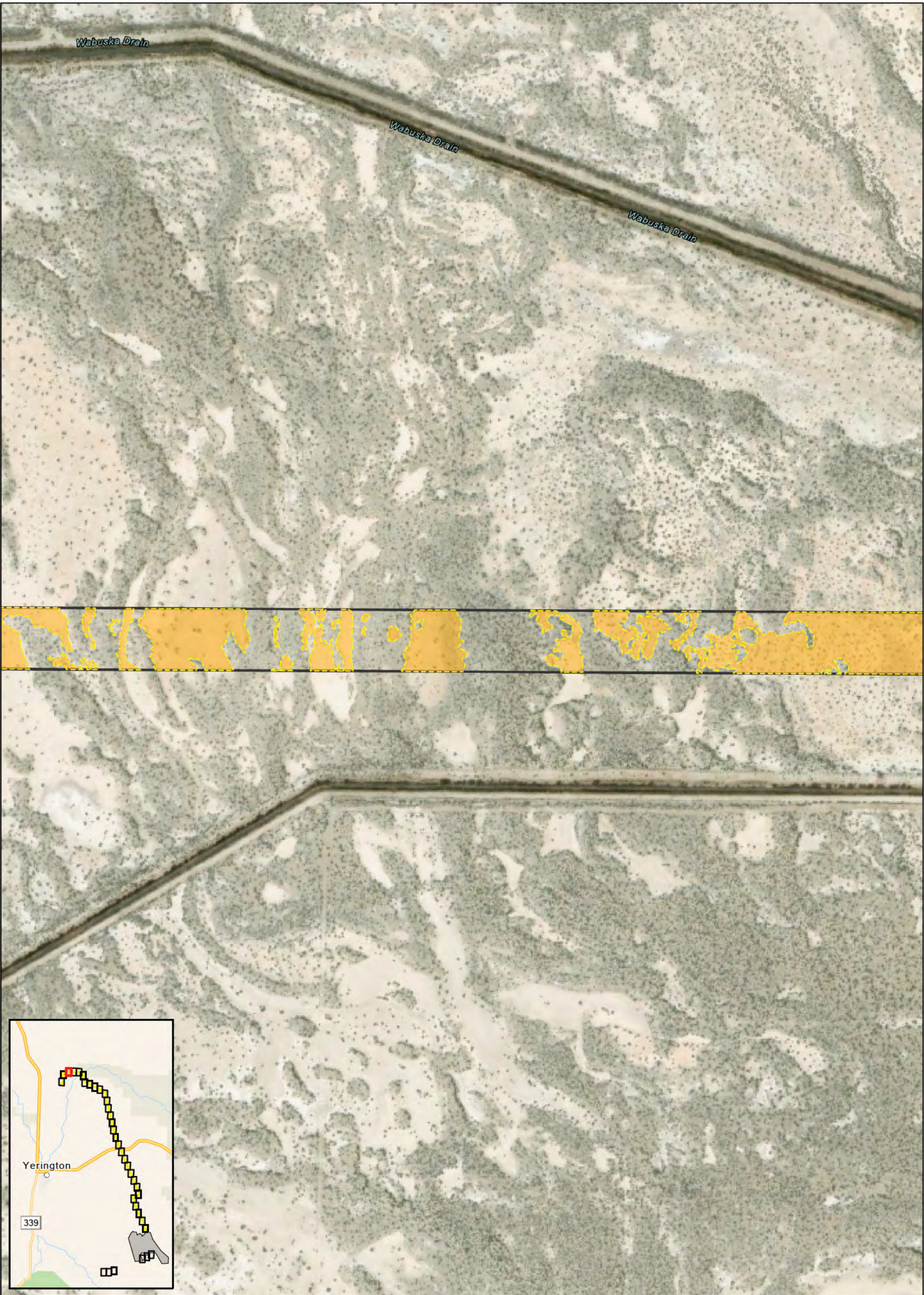
Legend

- | | | |
|--------------------|-------------------------|----------------|
| ■ Sample Plot (sp) | ■ Irrigation Ditch (ID) | ■ Playa Area 2 |
| ■ Canal | ■ Playa Area 1 | ■ Survey Area |



0 150 300 600 Feet

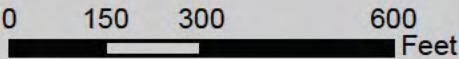
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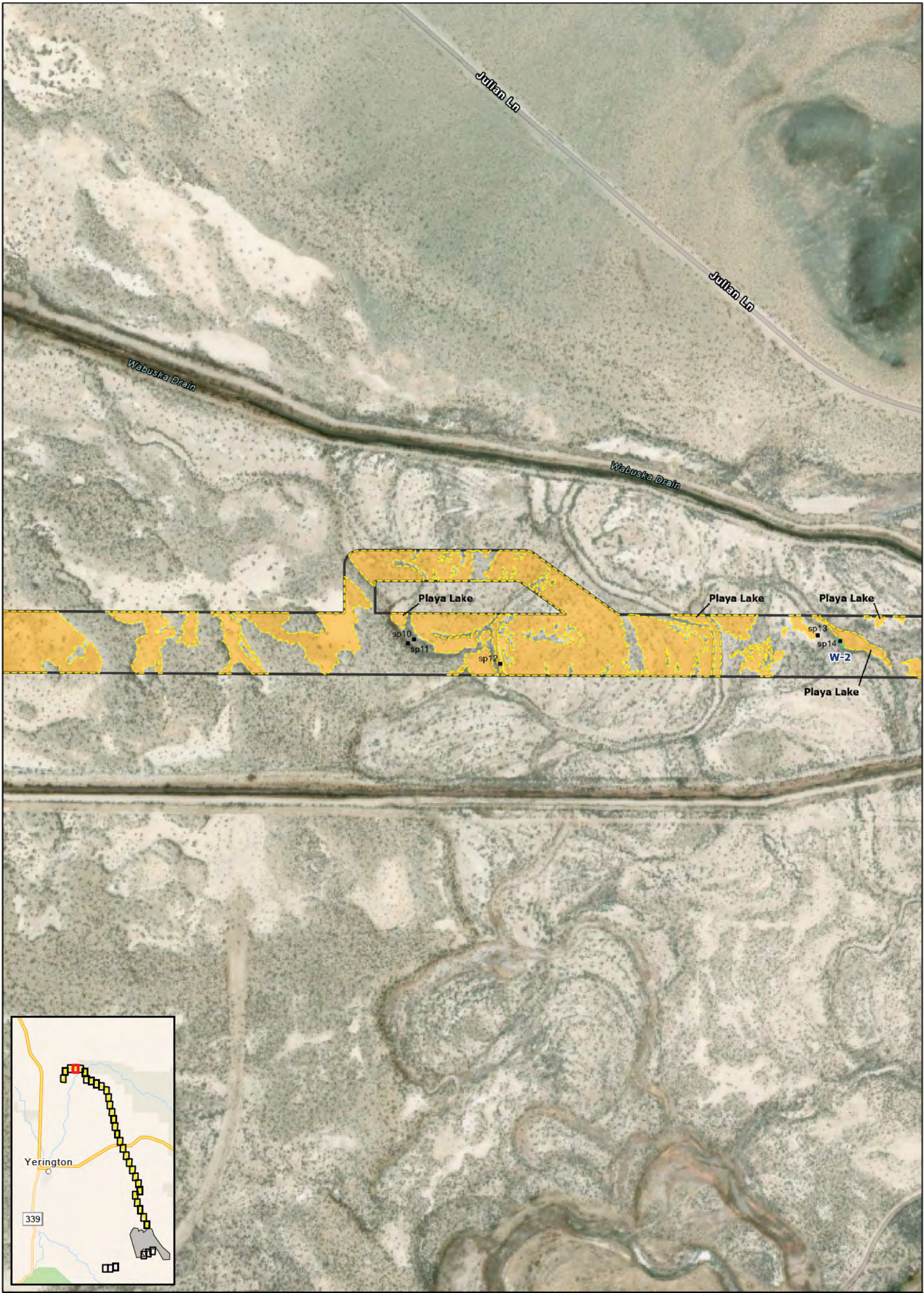
Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Playa Area 2
- Survey Area



Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

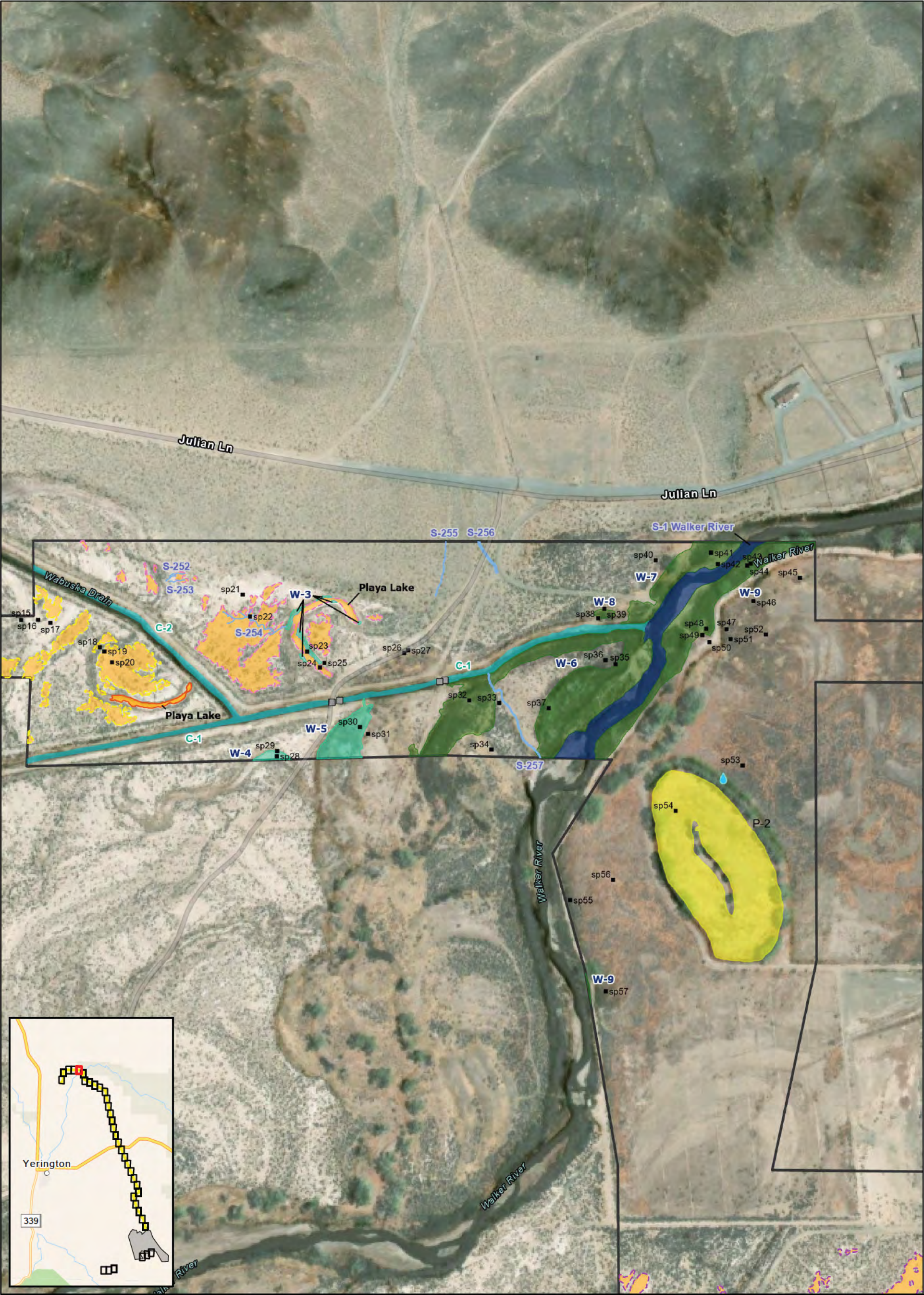
Legend

- Sample Plot (sp)
- Wetland (W) - Palustrine Emergent (PEM)
- Playa Area 2
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- | | | | |
|------------------|--|---------------|--------------|
| Water Main | Perennial Stream (S) | Pond (P) | Playa Area 4 |
| Sample Plot (sp) | Ephemeral Stream (S) | Playa Area 2 | Survey Area |
| Culvert | Wetland (W) - Palustrine Emergent (PEM) | Playa Area 2A | |
| Canal | Wetland (W) - Palustrine Scrub-Shrub (PSS) | Playa Area 3 | |

0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024

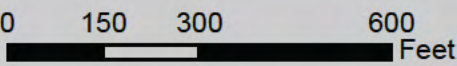




Libra Solar Study Area - Wetland & Waterbody Survey Results

- Legend**

 - Sample Plot (sp)
 - Pond (P)
 - Survey Area
 - Ephemeral Stream (S)
 - Playa Area 4



Source: ESRI, EPD Solutions, Inc., November 2024





Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



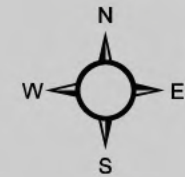
Libra Solar Study Area - Wetland & Waterbody Survey Results

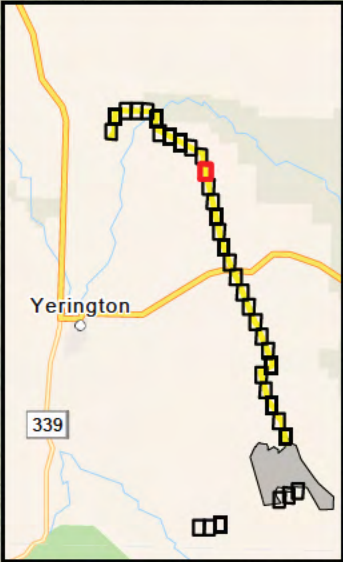
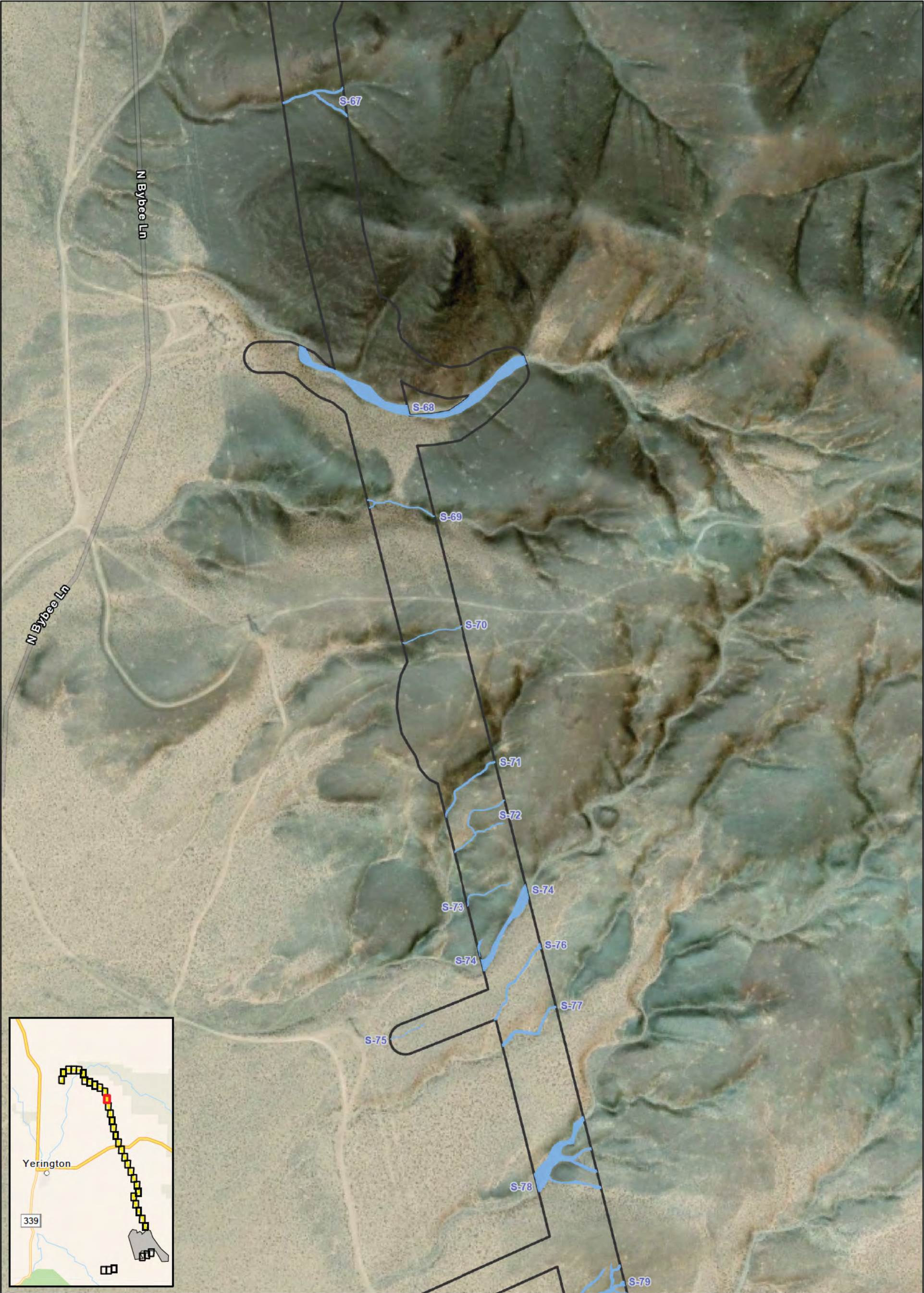
Legend

- Sample Plot (sp)
- Ephemeral Stream (S)
- Playa Area 4
- Survey Area

0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024





Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

- Legend**

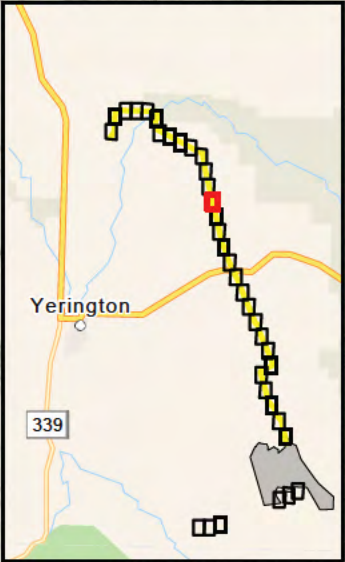
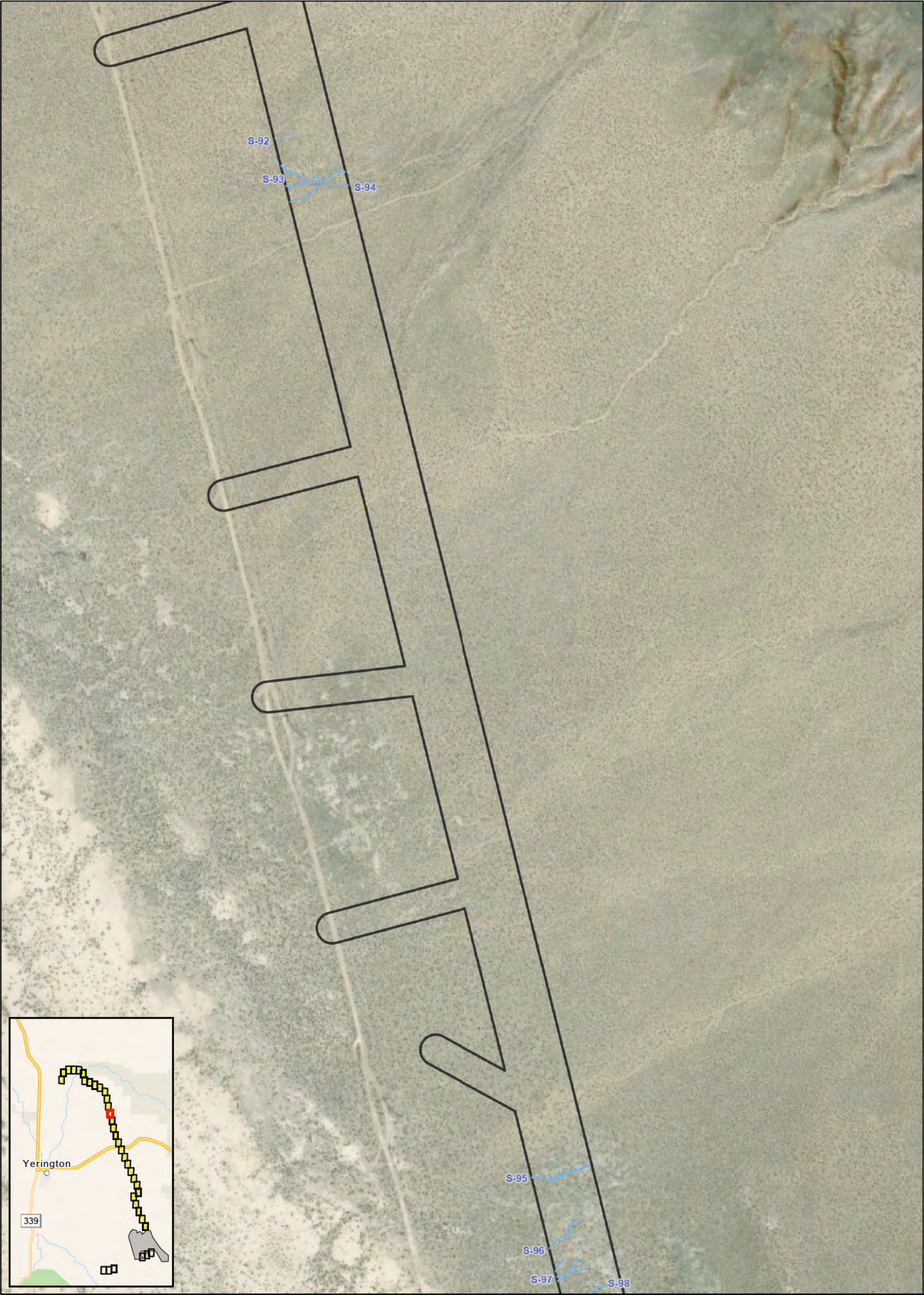
Ephemeral Stream (S)

Survey Area

0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024

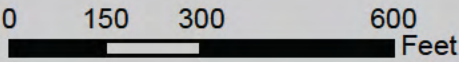




Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Ephemeral Stream (S)
- Survey Area



Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

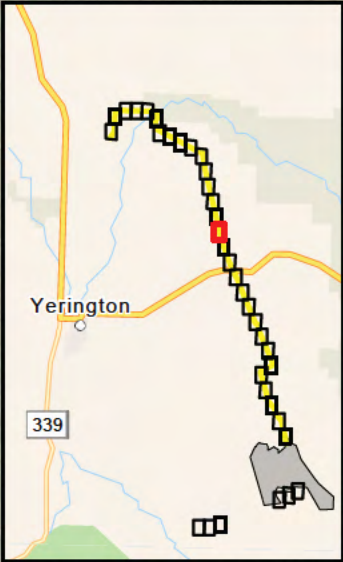
Legend

- Ephemeral Stream (S)
- Playa Area 5
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



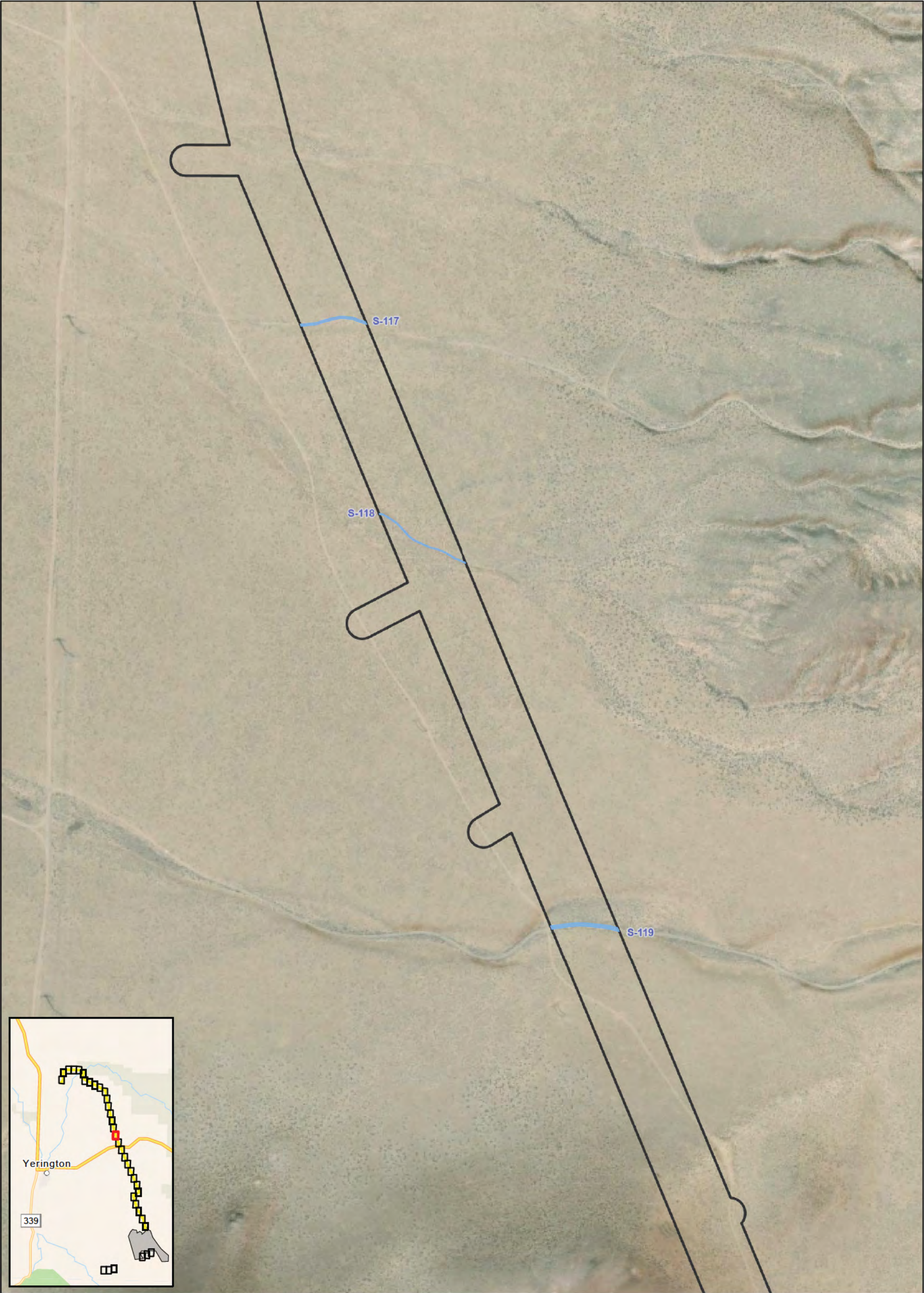
Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend
[Black Outline] Survey Area

0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024





Libra Solar Study Area - Wetland & Waterbody Survey Results

- Legend**
- Ephemeral Stream (S)
 - Survey Area

0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024





Libra Solar Study Area - Wetland & Waterbody Survey Results

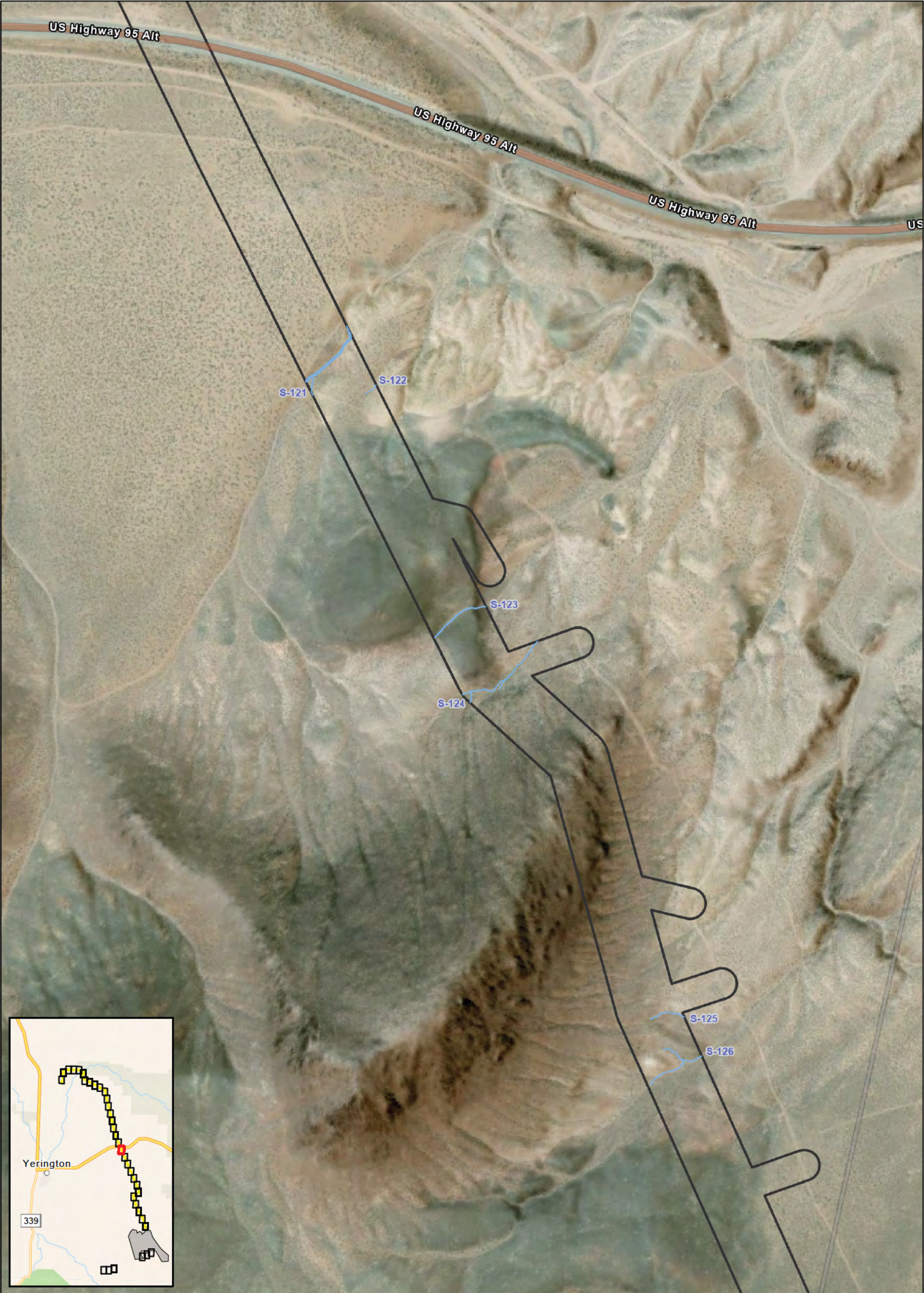
Legend

- Intermittent Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

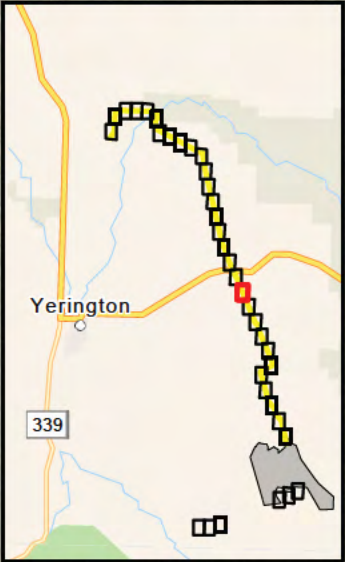
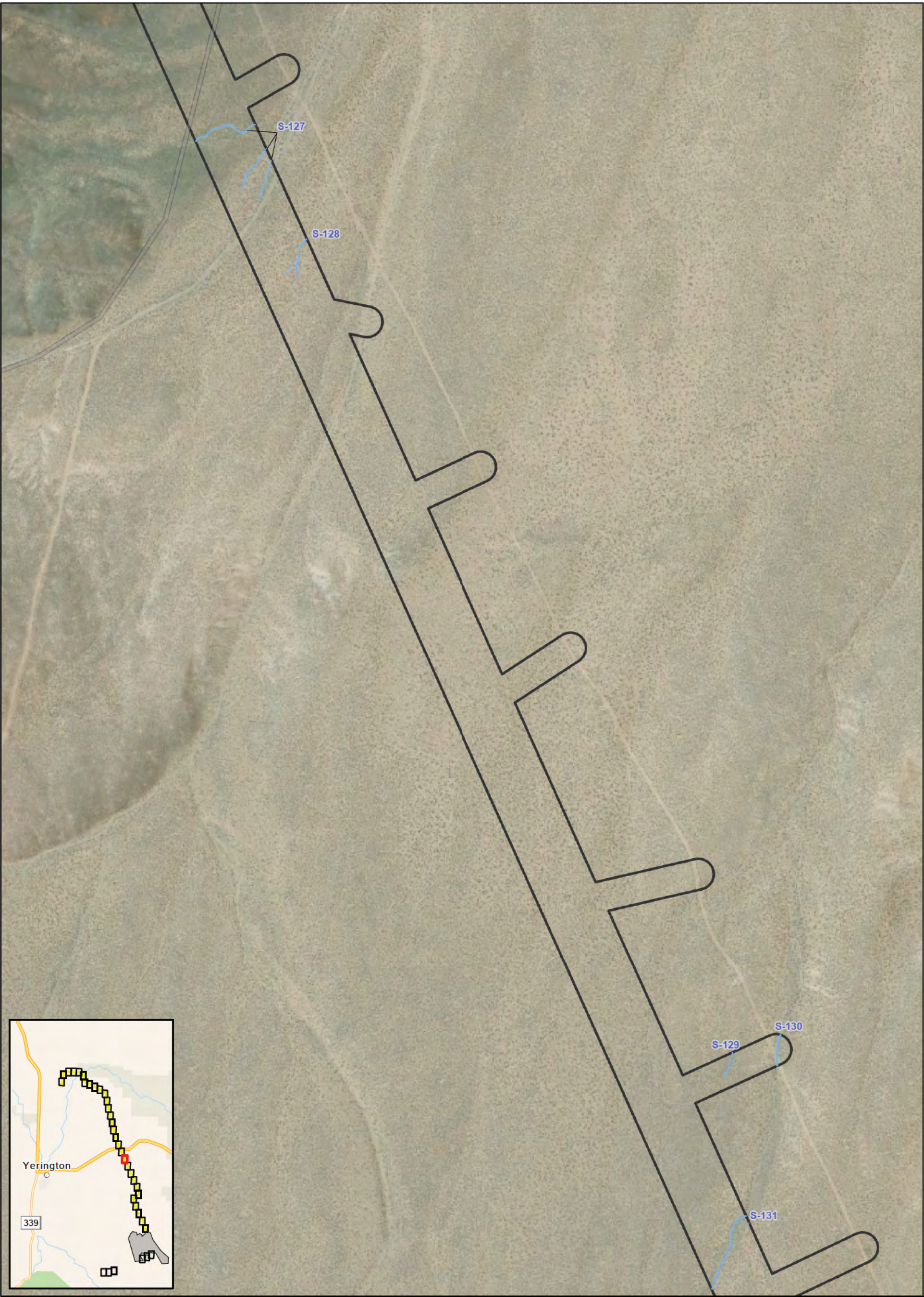
Legend

- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

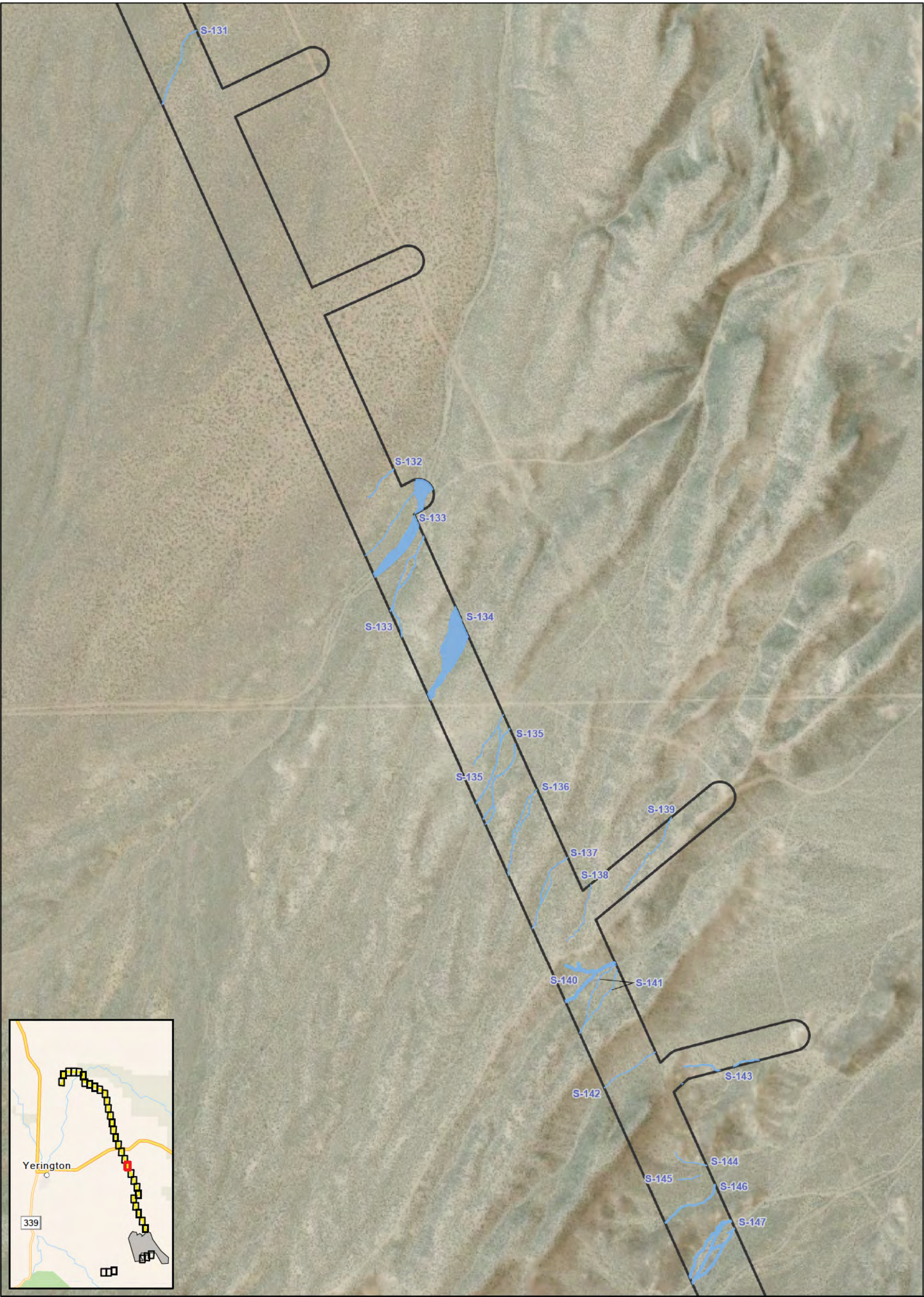
Legend

- Ephemeral Stream (S)
- Survey Area





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Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

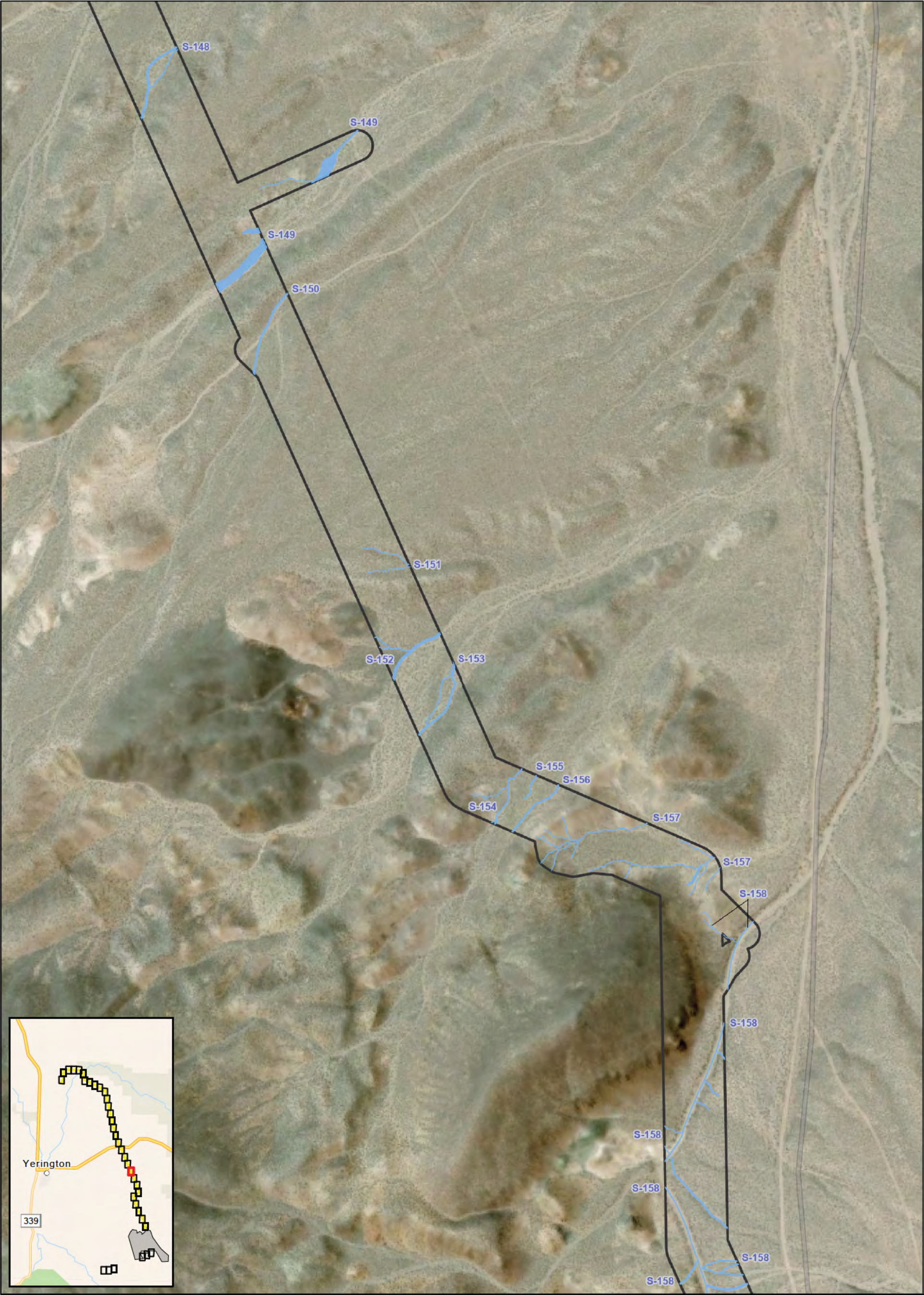
Legend

-  Ephemeral Stream (S)
-  Survey Area

0 150 300 600 Feet



Source: ESRI, EPD Solutions, Inc., November 2024

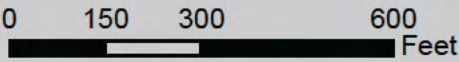




Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

-  Ephemeral Stream (S)
-  Survey Area



Source: ESRI, EPD Solutions, Inc., November 2024





Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

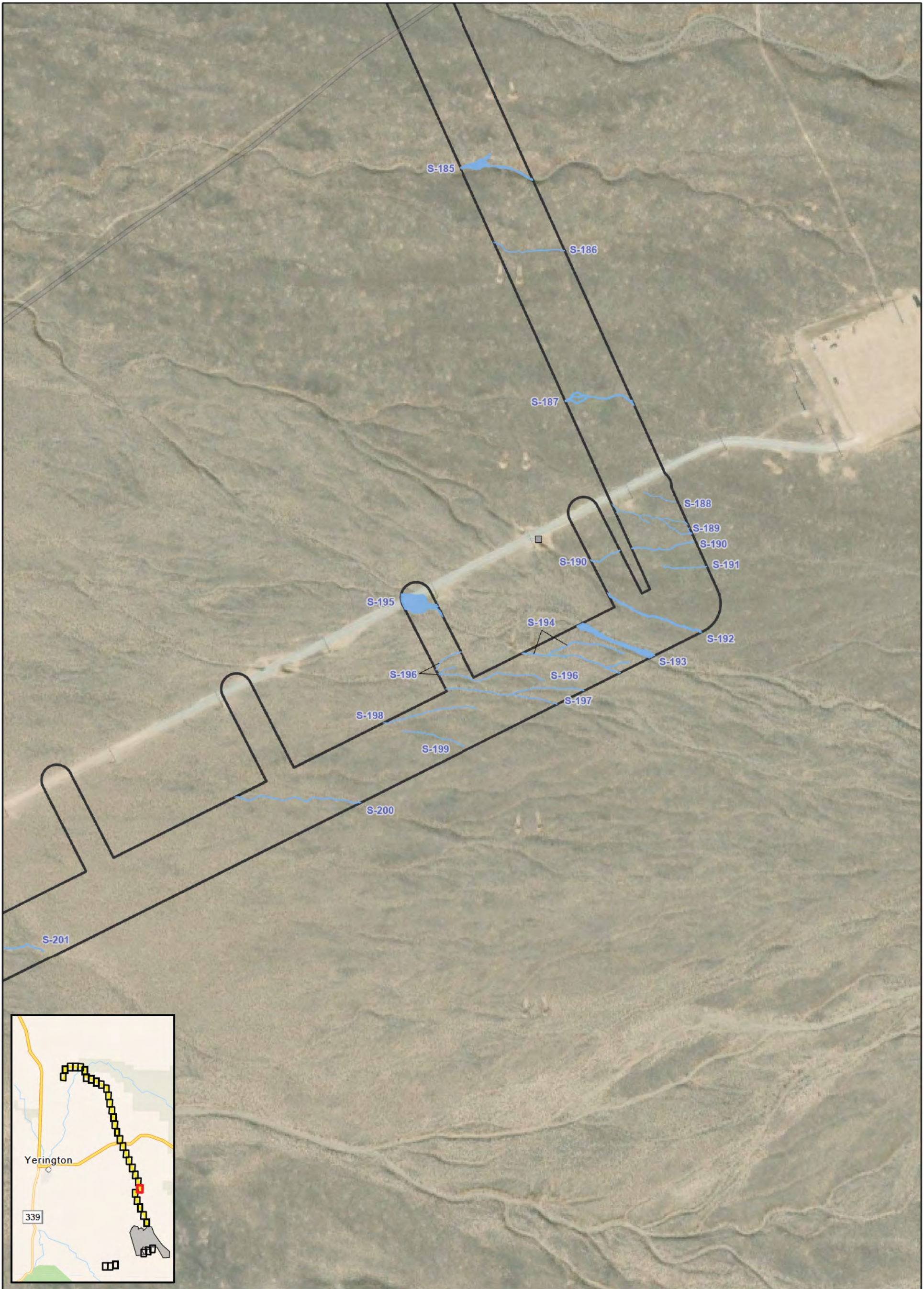
Legend

- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

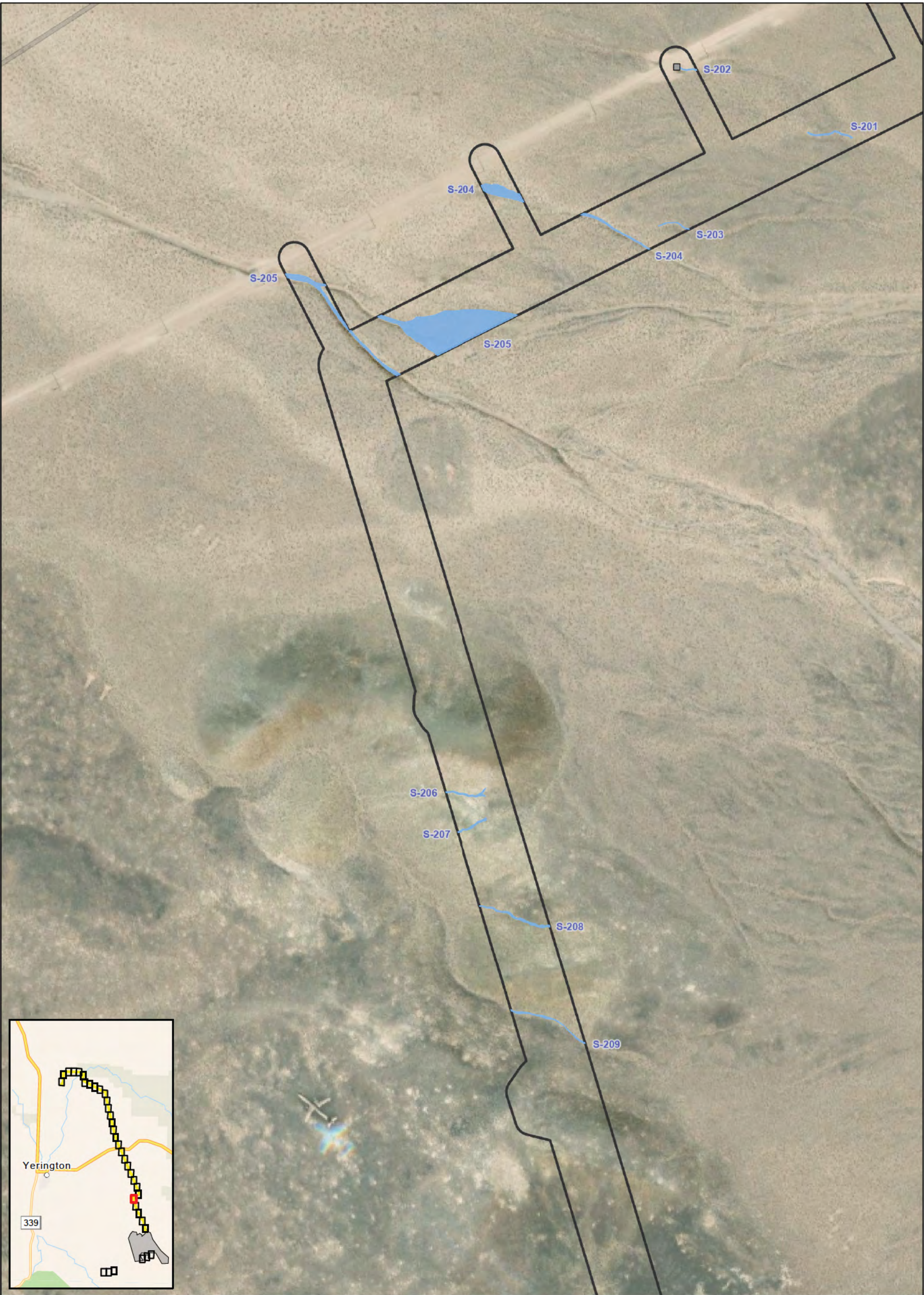
Legend

- Culvert
- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Culvert
- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



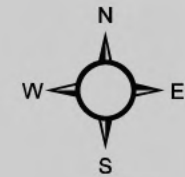
Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Sample Plot (sp)
- Ephemeral Stream (S)
- Playa Area 6
- Survey Area

0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024





Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Sample Plot (sp)
- Ephemeral Stream (S)
- Playa Area 6
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

- Legend**
- Ephemeral Stream (S)
 - Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

- Legend
- Ephemeral Stream (S)

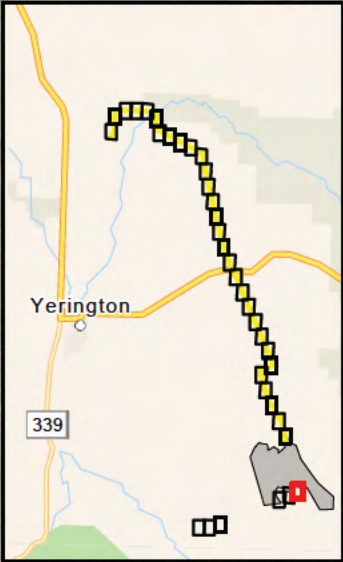
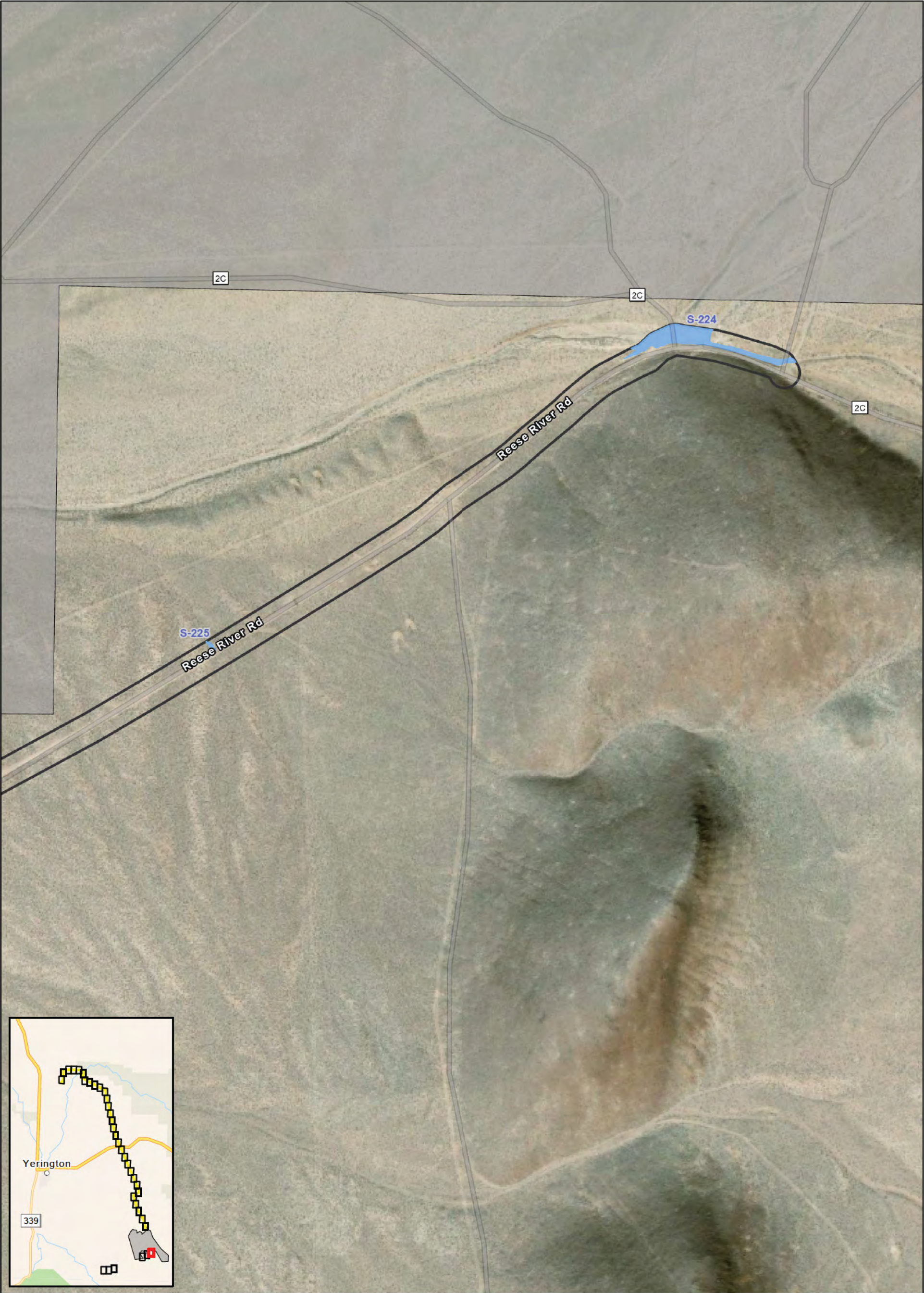
Survey Area

Project Area






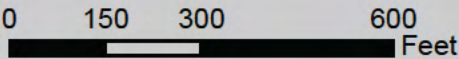
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Source: ESRI, EPD Solutions, Inc., November 2024



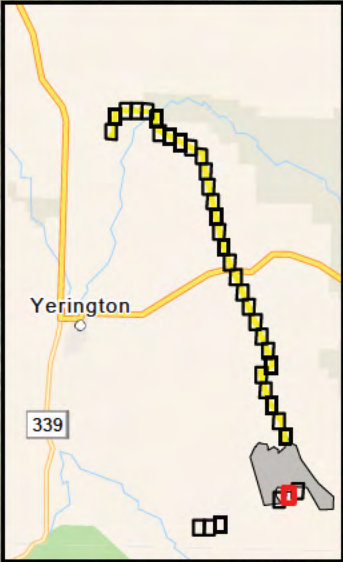
Libra Solar Study Area - Wetland & Waterbody Survey Results

- Legend**
-  Ephemeral Stream (S)
 -  Survey Area
 -  Project Area



Source: ESRI, EPD Solutions, Inc., November 2024

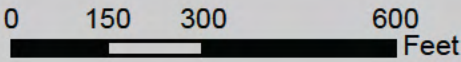




Libra Solar Study Area - Wetland & Waterbody Survey Results

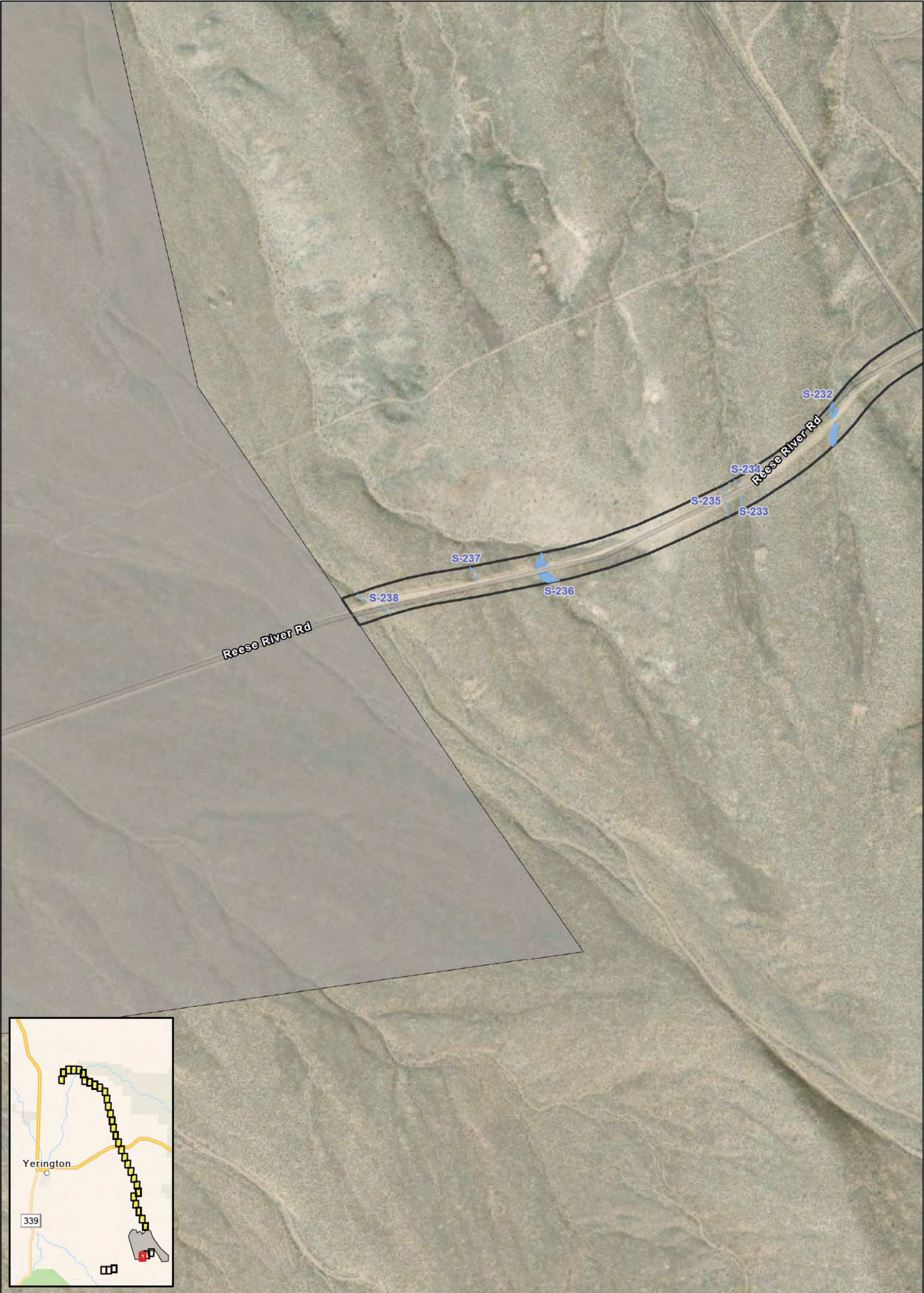
Legend

-  Ephemeral Stream (S)
-  Survey Area
-  Project Area



Source: ESRI, EPD Solutions, Inc., November 2024





Libra Solar Study Area - Wetland & Waterbody Survey Results

- Legend**
- Ephemeral Stream (S)
 - Survey Area
 - Project Area

0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024





Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Ephemeral Stream (S)
- Survey Area

0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024





Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024



Libra Solar Study Area - Wetland & Waterbody Survey Results

Legend

- Ephemeral Stream (S)
- Survey Area



0 150 300 600 Feet

Source: ESRI, EPD Solutions, Inc., November 2024