

Feature ID: 1

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00088	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

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Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 9.86

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☒ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION**

**1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:**

**3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:**

**D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE**

**1. TNWs and Adjacent Wetlands**

- ☐ TNWs: Linear Feet Width (ft), Or, Acres
- ☒ Wetlands adjacent to TNWs: Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet): Width (feet): Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet): Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

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As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters
- 2489.06 linear feet (ft), 9.86 width (ft)
- ☐ Other waters
- acres
- ☐ Wetlands
- acres

SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant

☐ Office Concurs with delineation

☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas

☐ USGS NHD Data

☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 10**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 10

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00083

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 10

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.76

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 4029.20 linear feet (ft), 5.76 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 10A**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 10A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00009	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 10A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 4.96

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

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- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 509.93 linear feet (ft), 4.96 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 11

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 11

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00210	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 11

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.82

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 8599.83 linear feet (ft), 6.82 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 11A**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 11A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00007	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 11A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 4.68

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 428.15 linear feet (ft), 4.68 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 11B**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 11B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00026

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 11B**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 4.82

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1523.55 linear feet (ft), 4.82 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 11C**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 11C
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00032	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 11C**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.56

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1620.91 linear feet (ft), 5.56 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 11C1**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 11C1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00005

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 11C1**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.48

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 267.96 linear feet (ft), 5.48 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 11D**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 11D

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00033

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 11D**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.82

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1574.30 linear feet (ft), 5.82 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 11D1**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 11D1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00008

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID:** 11D1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.78

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 388.89 linear feet (ft), 5.78 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 11D2**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 11D2
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- |  |             |  |                   |  |       |
|--|-------------|--|-------------------|--|-------|
|  | Linear Feet |  | Width (ft) and/or |  | Acres |
|--|-------------|--|-------------------|--|-------|
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00011	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 11D2**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.30

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 578.29 linear feet (ft), 5.30 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 11E**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 11E

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00019	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 11E

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.09

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1028.49 linear feet (ft), 5.09 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 11E1**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 11E1
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00002	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 11E1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 3.13

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 218.87 linear feet (ft), 3.13 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 11F**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 11F

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00018

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 11F

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.41

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 926.82 linear feet (ft), 5.41 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 11G**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 11G

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00005

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 11G**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 9.85

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☒ Changes in soil character☐ Shelving☐ Sediment deposition☒ Sediment sorting☐ Scour☐ Presence of wrack line☐ Vegetation matted down, bent or absent☐ Leaf litter disturbed or washed away☐ Presence of litter and debris☒ Destruction of terrestrial vegetation☐ Abrupt change in plant community☐ Multiple observed or predicted flow events☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 136.21 linear feet (ft), 9.85 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 11H

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 11H

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00008

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 11H**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 7.49

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 305.27 linear feet (ft), 7.49 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 12**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 12
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00008	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 12

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 4.68

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 470.64 linear feet (ft), 4.68 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 13**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 13
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00004	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 13

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 4.92

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☒ Changes in soil character

☐ Shelving

☐ Sediment deposition

☒ Sediment sorting

☐ Scour

☐ Presence of wrack line

Other (list):

☐ Discontinuous? Explain:

☐ Vegetation matted down, bent or absent

☐ Leaf litter disturbed or washed away

☐ Presence of litter and debris

☒ Destruction of terrestrial vegetation

☐ Abrupt change in plant community

☐ Multiple observed or predicted flow events

☐ Water staining

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 226.98 linear feet (ft), 4.92 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 14**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 14

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00061

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 14

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.12

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 3339.86 linear feet (ft), 5.12 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 15**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 15

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00310

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 15

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.47

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 11578.74 linear feet (ft), 7.47 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 15A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 15A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00166

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 15A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.26

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics: ☐ Wetland Fringe Characteristics: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally -sensitive species Explain: ☐ Aquatic/Wildlife diversity Explain: **2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**Wetland Size (ac):  Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: Wetland Flow is:  Explain: Surface Flow is:  Characteristics: Subsurface Flow:  Explain Findings: ☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain: ☐ Ecological connection Explain: ☐ Separated by berm/barrier Explain: Project Wetlands: River Miles from TNW: Project Wetlands: Aerial Miles from TNW: Flow is From: Approximate Location of Wetland within Floodplain: **(ii) Chemical Characteristics:**Characterize Wetland System: **(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain: ☐ Vegetation type/percent cover. Explain: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally-sensitive species Explain: ☐ Aquatic/Wildlife Diversity Explain: **3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**All wetland(s) considered in cumulative analysis: Wetland acres in total being considered in cumulative analysis: 

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 8819.04 linear feet (ft), 5.26 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 15A1**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 15A1
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- |  |             |  |                   |  |       |
|--|-------------|--|-------------------|--|-------|
|  | Linear Feet |  | Width (ft) and/or |  | Acres |
|--|-------------|--|-------------------|--|-------|
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00033	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 15A1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.43

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1685.70 linear feet (ft), 5.43 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 15A2**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 15A2

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00006

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 15A2**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.13

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 320.13 linear feet (ft), 5.13 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 15A3

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 15A3

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00007

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 15A3**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.08

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics: ☐ Wetland Fringe Characteristics: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally -sensitive species Explain: ☐ Aquatic/Wildlife diversity Explain: **2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**Wetland Size (ac):  Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: Wetland Flow is:  Explain: Surface Flow is:  Characteristics: Subsurface Flow:  Explain Findings: ☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain: ☐ Ecological connection Explain: ☐ Separated by berm/barrier Explain: Project Wetlands: River Miles from TNW: Project Wetlands: Aerial Miles from TNW: Flow is From: Approximate Location of Wetland within Floodplain: **(ii) Chemical Characteristics:**Characterize Wetland System: **(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain: ☐ Vegetation type/percent cover. Explain: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally-sensitive species Explain: ☐ Aquatic/Wildlife Diversity Explain: **3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**All wetland(s) considered in cumulative analysis: Wetland acres in total being considered in cumulative analysis: 

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 390.27 linear feet (ft), 5.08 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 15B**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 15B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00030

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 15B**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.64

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1105.93 linear feet (ft), 7.64 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 15C**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 15C

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00055

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 15C**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.89

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2589.07 linear feet (ft), 5.89 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 15D**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 15D

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00005

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 15D

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 4.15

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics: ☐ Wetland Fringe Characteristics: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally -sensitive species Explain: ☐ Aquatic/Wildlife diversity Explain: **2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**Wetland Size (ac):  Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: Wetland Flow is:  Explain: Surface Flow is:  Characteristics: Subsurface Flow:  Explain Findings: ☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain: ☐ Ecological connection Explain: ☐ Separated by berm/barrier Explain: Project Wetlands: River Miles from TNW: Project Wetlands: Aerial Miles from TNW: Flow is From: Approximate Location of Wetland within Floodplain: **(ii) Chemical Characteristics:**Characterize Wetland System: **(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain: ☐ Vegetation type/percent cover. Explain: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally-sensitive species Explain: ☐ Aquatic/Wildlife Diversity Explain: **3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**All wetland(s) considered in cumulative analysis: Wetland acres in total being considered in cumulative analysis: 

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 324.64 linear feet (ft), 4.15 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 15E**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 15E

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00049

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 15E

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.19

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1485.12 linear feet (ft), 9.19 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 15F**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 15F

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00007

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 15F

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.81

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics: ☐ Wetland Fringe Characteristics: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally -sensitive species Explain: ☐ Aquatic/Wildlife diversity Explain: **2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**Wetland Size (ac):  Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: Wetland Flow is:  Explain: Surface Flow is:  Characteristics: Subsurface Flow:  Explain Findings: ☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain: ☐ Ecological connection Explain: ☐ Separated by berm/barrier Explain: Project Wetlands: River Miles from TNW: Project Wetlands: Aerial Miles from TNW: Flow is From: Approximate Location of Wetland within Floodplain: **(ii) Chemical Characteristics:**Characterize Wetland System: **(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain: ☐ Vegetation type/percent cover. Explain: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally-sensitive species Explain: ☐ Aquatic/Wildlife Diversity Explain: **3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**All wetland(s) considered in cumulative analysis: Wetland acres in total being considered in cumulative analysis: 

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 247.18 linear feet (ft), 7.81 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 16**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 16

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00455

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 16

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.56

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 13267.71 linear feet (ft), 9.56 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 16A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 16A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00050

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 16A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.78

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2396.47 linear feet (ft), 5.78 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 16B**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 16B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00027

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 16B**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.12

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1482.07 linear feet (ft), 5.12 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 16C**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 16C

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00215

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 16C**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.04

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics: ☐ Wetland Fringe Characteristics: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally -sensitive species Explain: ☐ Aquatic/Wildlife diversity Explain: **2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**Wetland Size (ac):  Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: Wetland Flow is:  Explain: Surface Flow is:  Characteristics: Subsurface Flow:  Explain Findings: ☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain: ☐ Ecological connection Explain: ☐ Separated by berm/barrier Explain: Project Wetlands: River Miles from TNW: Project Wetlands: Aerial Miles from TNW: Flow is From: Approximate Location of Wetland within Floodplain: **(ii) Chemical Characteristics:**Characterize Wetland System: **(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain: ☐ Vegetation type/percent cover. Explain: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally-sensitive species Explain: ☐ Aquatic/Wildlife Diversity Explain: **3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**All wetland(s) considered in cumulative analysis: Wetland acres in total being considered in cumulative analysis: 

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 7461.26 linear feet (ft), 8.04 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 16C1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 16C1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00039

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 16C1**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.01

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2192.74 linear feet (ft), 5.01 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 16C1A

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 16C1A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00010

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 16C1A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.76

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 488.44 linear feet (ft), 5.76 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 16C2**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 16C2

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00016

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



**Feature ID: 16C2**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.54

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 792.29 linear feet (ft), 5.54 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 16D**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 16D

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00040

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 16D**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 6.21

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics: ☐ Wetland Fringe Characteristics: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally -sensitive species Explain: ☐ Aquatic/Wildlife diversity Explain: **2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**Wetland Size (ac):  Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: Wetland Flow is:  Explain: Surface Flow is:  Characteristics: Subsurface Flow:  Explain Findings: ☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain: ☐ Ecological connection Explain: ☐ Separated by berm/barrier Explain: Project Wetlands: River Miles from TNW: Project Wetlands: Aerial Miles from TNW: Flow is From: Approximate Location of Wetland within Floodplain: **(ii) Chemical Characteristics:**Characterize Wetland System: **(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain: ☐ Vegetation type/percent cover. Explain: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally-sensitive species Explain: ☐ Aquatic/Wildlife Diversity Explain: **3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**All wetland(s) considered in cumulative analysis: Wetland acres in total being considered in cumulative analysis: 

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1811.49 linear feet (ft), 6.21 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 16D1**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 16D1
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00035	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 16D1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.93

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1626.73 linear feet (ft), 5.93 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 17**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 17

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00459

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 17

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 11.56

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 11079.81 linear feet (ft), 11.56 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 17A**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 17A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00047	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 17A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 10.12

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1283.70 linear feet (ft), 10.12 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 18**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 18

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00188	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 18

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 14.24

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 3674.55 linear feet (ft), 14.24 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 19**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 19

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00484

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 19

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 13.31

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 10148.93 linear feet (ft), 13.31 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 19A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 19A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00042

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 19A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.01

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1949.75 linear feet (ft), 6.01 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 19A1**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 19A1
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00018	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 19A1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 11.10

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 446.17 linear feet (ft), 11.10 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 19B**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 19B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00039

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 19B**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.99

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1359.49 linear feet (ft), 7.99 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 1A**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 1A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00004	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 1A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 3.96

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☒ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 257.92 linear feet (ft), 3.96 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 2

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 2

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00046	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 2

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.55

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

(c) Flow:

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☒ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

(iii) Chemical Characteristics:

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1513.60 linear feet (ft), 8.55 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 20**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 20

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00376

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 20

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.61

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 12163.95 linear feet (ft), 8.61 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature** 20A
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 20A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00066	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 20A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.54

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2447.80 linear feet (ft), 7.54 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 20B

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 20B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00296

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 20B

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 13.69

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 6024.58 linear feet (ft), 13.69 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 20B1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 20B1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00138

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 20B1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 12.67

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 3033.41 linear feet (ft), 12.67 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 20B2

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 20B2

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00031

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 20B2

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.89

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1233.74 linear feet (ft), 6.89 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature** 20B3
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 20B3
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00026	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 20B3

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.68

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 849.83 linear feet (ft), 8.68 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 20B3A

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 20B3A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00009

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 20B3A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.89

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 438.19 linear feet (ft), 5.89 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 20C

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 20C

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00030

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 20C

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.29

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1014.31 linear feet (ft), 8.29 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 21**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 21
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- |  |             |  |                   |  |       |
|--|-------------|--|-------------------|--|-------|
|  | Linear Feet |  | Width (ft) and/or |  | Acres |
|--|-------------|--|-------------------|--|-------|
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00048	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 21

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.15

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2156.45 linear feet (ft), 6.15 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 22**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 22

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00145

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 22

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.49

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 5411.31 linear feet (ft), 7.49 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 22A

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 22A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00081

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 22A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 10.52

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2142.65 linear feet (ft), 10.52 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 22B

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 22B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00015

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 22B**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.95

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 604.38 linear feet (ft), 6.95 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 22C

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 22C

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00029

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



**Feature ID: 22C**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.70

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1193.59 linear feet (ft), 6.70 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 22D

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 22D

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00049

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 22D

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.89

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1991.78 linear feet (ft), 6.89 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 22E

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 22E

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00011

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 22E

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 7.82

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 382.18 linear feet (ft), 7.82 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 23**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 23

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00240

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 23

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.81

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 8554.71 linear feet (ft), 7.81 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 23A**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 23A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00017	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 23A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.65

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 603.14 linear feet (ft), 7.65 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 24**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 24

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00086

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 24

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.61

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics: ☐ Wetland Fringe Characteristics: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally -sensitive species Explain: ☐ Aquatic/Wildlife diversity Explain: **2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**Wetland Size (ac):  Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: Wetland Flow is:  Explain: Surface Flow is:  Characteristics: Subsurface Flow:  Explain Findings: ☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain: ☐ Ecological connection Explain: ☐ Separated by berm/barrier Explain: Project Wetlands: River Miles from TNW: Project Wetlands: Aerial Miles from TNW: Flow is From: Approximate Location of Wetland within Floodplain: **(ii) Chemical Characteristics:**Characterize Wetland System: **(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain: ☐ Vegetation type/percent cover. Explain: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally-sensitive species Explain: ☐ Aquatic/Wildlife Diversity Explain: **3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**All wetland(s) considered in cumulative analysis: Wetland acres in total being considered in cumulative analysis: 

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 3142.09 linear feet (ft), 7.61 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 25**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 25

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00034

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 25

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 6.65

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1422.92 linear feet (ft), 6.65 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 25A

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 25A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00010

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 25A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 6.26

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 456.88 linear feet (ft), 6.26 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 26**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 26

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00058

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 26

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.83

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2768.62 linear feet (ft), 5.83 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 27**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 27

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00071

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 27

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.20

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☒ Changes in soil character

☐ Shelving

☐ Sediment deposition

☒ Sediment sorting

☐ Scour

☐ Presence of wrack line

Other (list):

☐ Discontinuous? Explain:

☐ Vegetation matted down, bent or absent

☐ Leaf litter disturbed or washed away

☐ Presence of litter and debris

☒ Destruction of terrestrial vegetation

☐ Abrupt change in plant community

☐ Multiple observed or predicted flow events

☐ Water staining

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2408.55 linear feet (ft), 8.20 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature** 27A
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 27A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00026	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 27A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 9.40

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 769.38 linear feet (ft), 9.40 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 28**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 28
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00064	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 28

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.73

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2645.28 linear feet (ft), 6.73 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 28A

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 28A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00033

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 28A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.42

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1241.02 linear feet (ft), 7.42 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 29**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 29

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00179

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 29

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.41

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 6741.81 linear feet (ft), 7.41 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 29A**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 29A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00096	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 29A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.15

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 3738.66 linear feet (ft), 7.15 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 29A1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 29A1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00032

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 29A1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 7.36

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1222.70 linear feet (ft), 7.36 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 29A2

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 29A2

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00007

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 29A2

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.88

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 341.19 linear feet (ft), 5.88 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 29B

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 29B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00035

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 29B

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.48

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1295.87 linear feet (ft), 7.48 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 3

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 3

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00390	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 3

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 22.03

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☒ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

Feature ID: 3

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 4940.14 linear feet (ft), 22.03 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 30**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 30

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00029

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 30

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.99

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1153.46 linear feet (ft), 6.99 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 31**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 31

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00018	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 31

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.45

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 658.50 linear feet (ft), 7.45 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 31A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 31A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00009

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 31A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.88

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 382.38 linear feet (ft), 6.88 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 31B**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 31B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00007

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 31B

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.63

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 358.55 linear feet (ft), 5.63 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 32**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 32

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00070

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 32

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.46

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2068.23 linear feet (ft), 9.46 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 33**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 33

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00064

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 33

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 10.20

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1736.17 linear feet (ft), 10.20 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 34**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 34

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00018	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 34

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.43

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 527.74 linear feet (ft), 9.43 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 35**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 35

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00084

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 35

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 13.38

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1760.00 linear feet (ft), 13.38 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 36**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 36

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00082

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 36

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.62

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2652.82 linear feet (ft), 8.62 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 37**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 37

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00173

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 37

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 20.84

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2309.23 linear feet (ft), 20.84 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 38**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 38

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00116

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 38

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.66

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 4216.31 linear feet (ft), 7.66 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 39**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 39

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00133

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 39

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.97

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 3722.38 linear feet (ft), 9.97 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 3A

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 3A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00011

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 3A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 17.62

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☒ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 179.62 linear feet (ft), 17.62 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

Feature ID: 4

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 4

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 4

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00484	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 4

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 20.45

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☒ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

Feature ID: 4

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 6599.80 linear feet (ft), 20.45 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 40**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 40

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00029

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 40

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 13.81

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 578.63 linear feet (ft), 13.81 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 40A**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 40A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00015	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 40A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.97

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 509.09 linear feet (ft), 7.97 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 41**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 41

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00586

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 41

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 24.33

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 6717.77 linear feet (ft), 24.33 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 41A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 41A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00027

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 41A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 8.77

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 861.59 linear feet (ft), 8.77 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 41B**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 41B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00026

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 41B**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.74

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1064.42 linear feet (ft), 6.74 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 42**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 42

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00064

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 42

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.21

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1934.54 linear feet (ft), 9.21 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 43**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 43

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00203

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 43

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.41

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 6006.77 linear feet (ft), 9.41 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 43A**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 43A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- |  |             |  |                   |  |       |
|--|-------------|--|-------------------|--|-------|
|  | Linear Feet |  | Width (ft) and/or |  | Acres |
|--|-------------|--|-------------------|--|-------|
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00108	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 43A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.37

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 3202.19 linear feet (ft), 9.37 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 43A1**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 43A1
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00016	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 43A1**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.33

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☒ Changes in soil character☐ Shelving☐ Sediment deposition☒ Sediment sorting☐ Scour☐ Presence of wrack line☐ Vegetation matted down, bent or absent☐ Leaf litter disturbed or washed away☐ Presence of litter and debris☒ Destruction of terrestrial vegetation☐ Abrupt change in plant community☐ Multiple observed or predicted flow events☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 714.93 linear feet (ft), 6.33 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 43B**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 43B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00056

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 43B**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.38

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2129.79 linear feet (ft), 7.38 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 44**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 44
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00037	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 44

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 10.21

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 998.39 linear feet (ft), 10.21 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 45**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 45

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00060

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 45

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 10.96

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1532.02 linear feet (ft), 10.96 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 46**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 46

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00145	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 46

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 9.16

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 4399.05 linear feet (ft), 9.16 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 46A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 46A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00047

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 46A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.04

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1453.62 linear feet (ft), 9.04 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 46B**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 46B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00017

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 46B

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 7.15

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics: ☐ Wetland Fringe Characteristics: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally -sensitive species Explain: ☐ Aquatic/Wildlife diversity Explain: **2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**Wetland Size (ac):  Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: Wetland Flow is:  Explain: Surface Flow is:  Characteristics: Subsurface Flow:  Explain Findings: ☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain: ☐ Ecological connection Explain: ☐ Separated by berm/barrier Explain: Project Wetlands: River Miles from TNW: Project Wetlands: Aerial Miles from TNW: Flow is From: Approximate Location of Wetland within Floodplain: **(ii) Chemical Characteristics:**Characterize Wetland System: **(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain: ☐ Vegetation type/percent cover. Explain: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally-sensitive species Explain: ☐ Aquatic/Wildlife Diversity Explain: **3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**All wetland(s) considered in cumulative analysis: Wetland acres in total being considered in cumulative analysis: 

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 645.98 linear feet (ft), 7.15 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 47**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 47

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00118

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 47

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 10.30

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 3194.26 linear feet (ft), 10.30 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 47A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 47A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00050

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 47A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 10.42

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1333.55 linear feet (ft), 10.42 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 47B**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 47B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00035

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 47B**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.30

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1176.12 linear feet (ft), 8.30 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 48**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 48

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00037

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 48

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.89

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☒ Changes in soil character

☐ Shelving

☐ Sediment deposition

☒ Sediment sorting

☐ Scour

☐ Presence of wrack line

Other (list):

☐ Discontinuous? Explain:

☐ Vegetation matted down, bent or absent

☐ Leaf litter disturbed or washed away

☐ Presence of litter and debris

☒ Destruction of terrestrial vegetation

☐ Abrupt change in plant community

☐ Multiple observed or predicted flow events

☐ Water staining

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1151.72 linear feet (ft), 8.89 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 49**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 49

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00036

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 49

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.81

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1289.77 linear feet (ft), 7.81 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 4A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 4A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00019

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 4A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.00

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 889.89 linear feet (ft), 6.00 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 4A1**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 4A1
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00002	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 4A1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 4.23

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 125.46 linear feet (ft), 4.23 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 4B**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 4B
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00014	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 4B

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 4.66

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 808.66 linear feet (ft), 4.66 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 4C**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 4C
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00040	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 4C

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 6.25

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1780.75 linear feet (ft), 6.25 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

Feature ID: 5

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 5

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 5

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00023	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 5

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.02

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



Feature ID: 5

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1253.80 linear feet (ft), 5.02 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 50**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 50

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00026

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 50

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.99

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 904.49 linear feet (ft), 7.99 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 50A

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 50A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00012

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 50A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.42

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 602.15 linear feet (ft), 5.42 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 51**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 51
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- |  |             |  |                   |  |       |
|--|-------------|--|-------------------|--|-------|
|  | Linear Feet |  | Width (ft) and/or |  | Acres |
|--|-------------|--|-------------------|--|-------|
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00011	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 51

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.30

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 566.31 linear feet (ft), 5.30 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 52**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 52

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00019

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 52

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.97

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 647.74 linear feet (ft), 7.97 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 53**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 53

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00008

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 53

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.51

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 393.75 linear feet (ft), 5.51 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 54**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 54

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00010

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 54

Identify flow route to TNW:

Drainage has no apparent path of downgradient flow. Analysis Area is ultimately within the watershed of the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 14.87

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION**

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:

2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:

3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:

**D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

☐ TNWs:  Linear Feet  Width (ft), Or,  Acres

☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Other

Explain finding of no Significant Nexus:

Explain finding of Other:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance. Downgradient stormwater flows from this feature would enter other ephemeral drainages in the Analysis Area determined to have no significant nexus with the downgradient TNW.

☒ Non-wetland waters  192.20 linear feet (ft),  14.87 width (ft)

☐ Other waters  acres

☐ Wetlands  acres

**SECTION IV: DATA SOURCES**

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:
- Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:
- Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 55**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 55

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00017

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 55

Identify flow route to TNW:

Drainage has no apparent path of downgradient flow. Analysis Area is ultimately within the watershed of the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.72

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION**

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:

2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:

3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:

**D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

☐ TNWs:  Linear Feet  Width (ft), Or,  Acres

☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Other

Explain finding of no Significant Nexus:

Explain finding of Other:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance. Downgradient stormwater flows from this feature would enter other ephemeral drainages in the Analysis Area determined to have no significant nexus with the downgradient TNW.

☒ Non-wetland waters  622.79 linear feet (ft),  7.72 width (ft)

☐ Other waters  acres

☐ Wetlands  acres

**SECTION IV: DATA SOURCES**

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concur with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:
- Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:
- Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 56**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 56

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00013

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Identify flow route to TNW:

Drainage has no apparent path of downgradient flow. Analysis Area is ultimately within the watershed of the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.41

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

### (c) Flow:

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

### (iii) Chemical Characteristics:

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION**

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:

2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:

3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:

**D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

☐ TNWs:  Linear Feet  Width (ft), Or,  Acres

☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Other

Explain finding of no Significant Nexus:

Explain finding of Other:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance. Downgradient stormwater flows from this feature would enter other ephemeral drainages in the Analysis Area determined to have no significant nexus with the downgradient TNW.

☒ Non-wetland waters  676.14 linear feet (ft),  5.41 width (ft)

☐ Other waters  acres

☐ Wetlands  acres



**SECTION IV: DATA SOURCES**

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concur with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:
- Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:
- Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 57**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 57

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00014	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Identify flow route to TNW:

Drainage has no apparent path of downgradient flow. Analysis Area is ultimately within the watershed of the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 6.73

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

### (c) Flow:

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

### (iii) Chemical Characteristics:

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION**

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:

2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:

3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:

**D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

☐ TNWs:  Linear Feet  Width (ft), Or,  Acres

☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Other

Explain finding of no Significant Nexus:

Explain finding of Other:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance. Downgradient stormwater flows from this feature would enter other ephemeral drainages in the Analysis Area determined to have no significant nexus with the downgradient TNW.

☒ Non-wetland waters  597.63 linear feet (ft),  6.73 width (ft)  
☐ Other waters  acres  
☐ Wetlands  acres

**SECTION IV: DATA SOURCES**

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:
- Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:
- Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 58**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 58

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00028

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Identify flow route to TNW:

Drainage has no apparent path of downgradient flow. Analysis Area is ultimately within the watershed of the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.99

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

### (c) Flow:

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

### (iii) Chemical Characteristics:

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION**

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:

2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:

3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:

**D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

☐ TNWs:  Linear Feet  Width (ft), Or,  Acres

☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Other

Explain finding of no Significant Nexus:

Explain finding of Other:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance. Downgradient stormwater flows from this feature would enter other ephemeral drainages in the Analysis Area determined to have no significant nexus with the downgradient TNW.

☒ Non-wetland waters  767.53 linear feet (ft),  9.99 width (ft)

☐ Other waters  acres

☐ Wetlands  acres

**SECTION IV: DATA SOURCES**

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurrs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:
- Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:
- Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 59**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 59
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- |  |             |  |                   |  |       |
|--|-------------|--|-------------------|--|-------|
|  | Linear Feet |  | Width (ft) and/or |  | Acres |
|--|-------------|--|-------------------|--|-------|
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:
- Rationale for TNW determination:

## 2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00046	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Identify flow route to TNW:

Drainage has no apparent path of downgradient flow. Analysis Area is ultimately within the watershed of the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.97

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

### (c) Flow:

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

### (iii) Chemical Characteristics:

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

C. SIGNIFICANT NEXUS DETERMINATION

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:

2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:

3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE

1. TNWs and Adjacent Wetlands

☐ TNWs:      Linear Feet      Width (ft), Or,      Acres

☒ Wetlands adjacent to TNWs:      Acres

Reserved for Section III D 2 (RPWs):

3. Non-RPWs that flow directly or indirectly into TNWs.

☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):      Width (feet):      Acres:     

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.

☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):     

7. Impoundments of jurisdictional waters.

Demonstration of Jurisdiction:     

E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE

Supporting rationale:

Length (linear feet):      Acres:     

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:

Non-Jurisdictional Waters:

Other

Explain finding of no Significant Nexus:

Explain finding of Other:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance. Downgradient stormwater flows from this feature would enter other ephemeral drainages in the Analysis Area determined to have no significant nexus with the downgradient TNW.

☒ Non-wetland waters      1279.20 linear feet (ft),      9.97 width (ft)

☐ Other waters      acres

☐ Wetlands      acres

**SECTION IV: DATA SOURCES**

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:
- Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature** 5A
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 5A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00007	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 5A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 3.93

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 529.79 linear feet (ft), 3.93 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 6

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 6

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00934	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 6

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 17.70

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☒ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 14708.92 linear feet (ft), 17.70 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 60**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 60
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00092	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 60

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 12.20

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2106.88 linear feet (ft), 12.20 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 61

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 61

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00185	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 61

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 20.39

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2526.09 linear feet (ft), 20.39 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 62**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 62

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00055

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 62

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 10.76

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1426.24 linear feet (ft), 10.76 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 63**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 63

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00344

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Identify flow route to TNW:

Drainage has no apparent path of downgradient flow. Analysis Area is ultimately within the watershed of the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 19.11

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

### (c) Flow:

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☒ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

### (iii) Chemical Characteristics:

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION**

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:

2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:

3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:

**D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

☐ TNWs:  Linear Feet  Width (ft), Or,  Acres

☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Other

Explain finding of no Significant Nexus:

Explain finding of Other:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance. Downgradient stormwater flows from this feature would enter other ephemeral drainages in the Analysis Area determined to have no significant nexus with the downgradient TNW.

☒ Non-wetland waters  5022.43 linear feet (ft),  19.11 width (ft)  
☐ Other waters  acres  
☐ Wetlands  acres

**SECTION IV: DATA SOURCES**

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurrs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:
- Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:
- Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 64**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 64

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00031

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 64

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 9.31

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 930.68 linear feet (ft), 9.31 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 65**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.02211

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 39.44

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☒ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 15631.16 linear feet (ft), 39.44 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 65A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00014

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 65A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 10.92

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☒ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 367.63 linear feet (ft), 10.92 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65B

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.01268

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65B

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 33.46

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☒ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 10565.14 linear feet (ft), 33.46 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65B1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65B1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00152

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65B1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 17.29

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2443.58 linear feet (ft), 17.29 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65B2

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65B2

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00098

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 65B2

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 15.44

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1775.97 linear feet (ft), 15.44 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65B3

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65B3

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00469

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65B3

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 24.03

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 5441.77 linear feet (ft), 24.03 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65B3A

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65B3A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00242

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65B3A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 22.65

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2981.27 linear feet (ft), 22.65 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 65B3A1**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 65B3A1
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00015	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 65B3A1**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 13.33

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 320.73 linear feet (ft), 13.33 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65B3A2

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65B3A2

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00029

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65B3A2

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 17.51

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 467.18 linear feet (ft), 17.51 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65B3B

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65B3B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00055

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65B3B

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 14.73

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1035.10 linear feet (ft), 14.73 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65B3C

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65B3C

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00020

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65B3C

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 18.30

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 298.49 linear feet (ft), 18.30 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 65B4**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 65B4
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00118	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65B4

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 21.52

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1533.95 linear feet (ft), 21.52 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65B4A

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65B4A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00068

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 65B4A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 25.29

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 751.60 linear feet (ft), 25.29 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65C

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65C

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00049

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 65C**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 14.84

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics: ☐ Wetland Fringe Characteristics: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally -sensitive species Explain: ☐ Aquatic/Wildlife diversity Explain: **2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**Wetland Size (ac):  Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: Wetland Flow is:  Explain: Surface Flow is:  Characteristics: Subsurface Flow:  Explain Findings: ☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain: ☐ Ecological connection Explain: ☐ Separated by berm/barrier Explain: Project Wetlands: River Miles from TNW: Project Wetlands: Aerial Miles from TNW: Flow is From: Approximate Location of Wetland within Floodplain: **(ii) Chemical Characteristics:**Characterize Wetland System: **(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain: ☐ Vegetation type/percent cover. Explain: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally-sensitive species Explain: ☐ Aquatic/Wildlife Diversity Explain: **3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**All wetland(s) considered in cumulative analysis: Wetland acres in total being considered in cumulative analysis: 

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 928.57 linear feet (ft), 14.84 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature** 65D
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 65D
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00082	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65D

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 15.83

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1438.44 linear feet (ft), 15.83 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65E

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65E

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00156

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65E

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 18.24

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2384.99 linear feet (ft), 18.24 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65E1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65E1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00024

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65E1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 10.87

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 606.03 linear feet (ft), 10.87 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 65F**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65F

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00023

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65F

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 14.19

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 457.60 linear feet (ft), 14.19 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65G

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65G

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00023

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65G

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.66

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 730.19 linear feet (ft), 8.66 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65G1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65G1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00008

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 65G1**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 8.18

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 288.15 linear feet (ft), 8.18 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65H

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65H

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00181

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 65H

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 32.92

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1535.61 linear feet (ft), 32.92 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 65H1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 65H1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00033

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 65H1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 8.72

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1042.79 linear feet (ft), 8.72 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 66**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 66

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00241

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 66

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 16.69

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 4028.49 linear feet (ft), 16.69 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 66A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 66A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00126

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 66A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 14.84

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2364.74 linear feet (ft), 14.84 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 66A1**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 66A1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00093

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 66A1**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 14.71

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics: ☐ Wetland Fringe Characteristics: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally -sensitive species Explain: ☐ Aquatic/Wildlife diversity Explain: **2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**Wetland Size (ac):  Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: Wetland Flow is:  Explain: Surface Flow is:  Characteristics: Subsurface Flow:  Explain Findings: ☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain: ☐ Ecological connection Explain: ☐ Separated by berm/barrier Explain: Project Wetlands: River Miles from TNW: Project Wetlands: Aerial Miles from TNW: Flow is From: Approximate Location of Wetland within Floodplain: **(ii) Chemical Characteristics:**Characterize Wetland System: **(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain: ☐ Vegetation type/percent cover. Explain: 

Habitat for:

☐ Federally Listed Species Explain: ☐ Fish/Spawn Areas Explain: ☐ Other environmentally-sensitive species Explain: ☐ Aquatic/Wildlife Diversity Explain: **3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**All wetland(s) considered in cumulative analysis: Wetland acres in total being considered in cumulative analysis: 

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1766.66 linear feet (ft), 14.71 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 66A1A

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 66A1A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00012

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 66A1A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 11.98

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 271.31 linear feet (ft), 11.98 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 67**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 67
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- |  |             |  |                   |  |       |
|--|-------------|--|-------------------|--|-------|
|  | Linear Feet |  | Width (ft) and/or |  | Acres |
|--|-------------|--|-------------------|--|-------|
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00098	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 67

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 13.30

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2050.04 linear feet (ft), 13.30 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 67A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 67A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00035

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 67A**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 13.14

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 750.99 linear feet (ft), 13.14 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 68**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 68

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00024

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:



Identify flow route to TNW:

Drainage has no apparent path of downgradient flow. Analysis Area is ultimately within the watershed of the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 10.23

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

### (c) Flow:

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

### (iii) Chemical Characteristics:

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION**

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:

2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:

3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:

**D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

☐ TNWs:  Linear Feet  Width (ft), Or,  Acres

☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Other

Explain finding of no Significant Nexus:

Explain finding of Other:

Drainage is a small, relic wash with no hydrologic function, generally not considered jurisdictional under the 2008 Guidance. Downgradient stormwater flows from this feature would enter other ephemeral drainages in the Analysis Area determined to have no significant nexus with the downgradient TNW.

☒ Non-wetland waters  666.01 linear feet (ft),  10.23 width (ft)

☐ Other waters  acres

☐ Wetlands  acres

**SECTION IV: DATA SOURCES**

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurrs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:
- Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:
- Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 69**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 69

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00061

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 69

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 10.73

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1596.47 linear feet (ft), 10.73 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 6A**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 6A
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00102	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 6A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.45

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 5237.26 linear feet (ft), 5.45 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 6B**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 6B

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00066

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 6B

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.47

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 3362.04 linear feet (ft), 5.47 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 6B1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 6B1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00004

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 6B1**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 3.85

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 295.37 linear feet (ft), 3.85 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 6C**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 6C
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00011	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 6C

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 3.73

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 791.21 linear feet (ft), 3.73 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 6D

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 6D

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00035

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 6D

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.69

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1736.27 linear feet (ft), 5.69 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 6D1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 6D1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00005

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 6D1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 3.88

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 334.40 linear feet (ft), 3.88 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 6E

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 6E

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00062	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 6E

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.81

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2997.39 linear feet (ft), 5.81 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 6F**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 6F

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00053

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 6F

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.07

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 2079.87 linear feet (ft), 7.07 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 6F1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 6F1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00013

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 6F1**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.03

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 744.15 linear feet (ft), 5.03 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 6G**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 6G

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00124

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 6G

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 11.01

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 3127.72 linear feet (ft), 11.01 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 6G1**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 6G1
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- |  |             |  |                   |  |       |
|--|-------------|--|-------------------|--|-------|
|  | Linear Feet |  | Width (ft) and/or |  | Acres |
|--|-------------|--|-------------------|--|-------|
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00006	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

**Feature ID: 6G1**

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 6.13

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks☒ OHWM: OHWM Indicators:☐ Clear, natural line impressed on the bank☐ Vegetation matted down, bent or absent☒ Changes in soil character☐ Leaf litter disturbed or washed away☐ Shelving☐ Presence of litter and debris☐ Sediment deposition☒ Destruction of terrestrial vegetation☒ Sediment sorting☐ Abrupt change in plant community☐ Scour☐ Multiple observed or predicted flow events☐ Presence of wrack line☐ Water staining

Other (list):

☐ Discontinuous? Explain:**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 255.31 linear feet (ft), 6.13 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



Feature ID: 6H

## SECTION I: BACKGROUND INFORMATION

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature** 6H
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 6H
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

## SECTION II: SUMMARY OF FINDINGS

### A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

### B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- |  |             |  |                   |  |       |
|--|-------------|--|-------------------|--|-------|
|  | Linear Feet |  | Width (ft) and/or |  | Acres |
|--|-------------|--|-------------------|--|-------|
- Limits of Jurisdiction based on:

### 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

## SECTION III: CWA ANALYSIS

### A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

### B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00005	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 6H

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 4.15

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 348.04 linear feet (ft), 4.15 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 7

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 7

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00088	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 7

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 20.03

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1227.20 linear feet (ft), 20.03 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 8

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 8

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00065	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 8

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 12.69

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☒ Changes in soil character

☐ Shelving

☐ Sediment deposition

☒ Sediment sorting

☐ Scour

☐ Presence of wrack line

Other (list):

☐ Discontinuous? Explain:

☐ Vegetation matted down, bent or absent

☐ Leaf litter disturbed or washed away

☐ Presence of litter and debris

☒ Destruction of terrestrial vegetation

☐ Abrupt change in plant community

☐ Multiple observed or predicted flow events

☐ Water staining

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1431.71 linear feet (ft), 12.69 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: Drainage Feature 9

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 9

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

There Are No "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

	Linear Feet		Width (ft) and/or		Acres
--	-------------	--	-------------------	--	-------

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00561	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 9

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 16.97

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

Feature ID: 9

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 9211.44 linear feet (ft), 16.97 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 9A**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 9A

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00033

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 9A

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 5.50

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:



As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1665.54 linear feet (ft), 5.50 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 9B**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 9B
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00049	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 9B

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.43

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**☐ Riparian Corridor Characteristics:☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally -sensitive species Explain:☐ Aquatic/Wildlife diversity Explain:**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW☐ Wetland Not Directly Abutting Non-TNW☐ Discrete wetland hydrologic connection Explain:☐ Ecological connection Explain:☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**☐ Riparian Buffer Explain:☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:☐ Fish/Spawn Areas Explain:☐ Other environmentally-sensitive species Explain:☐ Aquatic/Wildlife Diversity Explain:**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1835.52 linear feet (ft), 7.43 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 9C**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 9C

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00016

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 9C

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 5.19

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:



**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 861.29 linear feet (ft), 5.19 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 9D**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 9D

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00004

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 9D

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 3.86

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow:

No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 306.97 linear feet (ft), 3.86 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:



Feature ID: 9D1

## SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature** 9D1

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 9D1

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

## SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

## SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00003

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 9D1

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural Explain:

Average Width (ft): 3.72

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral Other Information on Duration and Volume:

Surface Flow is: Confined Characteristics:

Subsurface Flow: No Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 217.11 linear feet (ft), 3.72 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

Feature ID: 9E

## SECTION I: BACKGROUND INFORMATION

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 9E**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 9E

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

## SECTION II: SUMMARY OF FINDINGS

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet Width (ft) and/or Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

## SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00022

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW: 30 (or more)

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW: 30 (or more)

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 9E

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.44

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):



**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 825.78 linear feet (ft), 7.44 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012

B. District Office and File No: Los Angeles District, File No. Pending

C. Project Location and Background Information: **Drainage Feature 9F**

City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona

Center coordinates of site: Lat. 32.5073 Long. -111.9100

Name of nearest waterbody: Unnamed Wash 9F

Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam

HUC Code: 15050306

☒ Map/Diagram of potential jurisdictional area is available on request

D. Review Performed for Site Evaluation:

Office Determination. Date:

Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:

Linear Feet

Width (ft) and/or

Acres

Limits of Jurisdiction based on:

2. Non-Regulated Waters/Wetlands:

☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00019

Average Annual Rainfall (in): 8.5

Average Annual Snowfall (in): 0

Tributaries flow to TNW:

River Miles from tributary to TNW:

River Miles from tributary to RPW:

Aerial Miles from tributary to TNW:

Aerial Miles from tributary to RPW:

☐ Project waters cross or serve as state boundaries. Explain:

Feature ID: 9F

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 7.55

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- ☐ Riparian Corridor Characteristics:
- ☐ Wetland Fringe Characteristics:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally -sensitive species Explain:
- ☐ Aquatic/Wildlife diversity Explain:

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

- Wetland Size (ac):  Wetland Type, Explain:
- Wetland Quality, Explain:
- Project Wetlands Cross or Serve as State Boundaries, Explain:
- Wetland Flow is:  Explain:
- Surface Flow is:  Characteristics:
- Subsurface Flow:  Explain Findings:
- ☐ Wetland Directly Abutting Non-TNW
- ☐ Wetland Not Directly Abutting Non-TNW
- ☐ Discrete wetland hydrologic connection Explain:
- ☐ Ecological connection Explain:
- ☐ Separated by berm/barrier Explain:
- Project Wetlands: River Miles from TNW:
- Project Wetlands: Aerial Miles from TNW:
- Flow is From:
- Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- ☐ Riparian Buffer Explain:
- ☐ Vegetation type/percent cover. Explain:
- Habitat for:
- ☐ Federally Listed Species Explain:
- ☐ Fish/Spawn Areas Explain:
- ☐ Other environmentally-sensitive species Explain:
- ☐ Aquatic/Wildlife Diversity Explain:

**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 719.51 linear feet (ft), 7.55 width (ft)
- ☐ Other waters acres
- ☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant
- ☐ Office Concurs with delineation
- ☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps
- ☐ Corps Navigable Water Study
- ☐ US Geological Survey Hydrologic Atlas
- ☐ USGS NHD Data
- ☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name: Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD:

**SECTION I: BACKGROUND INFORMATION**

- A. Report Completion Date for Approved Jurisdictional Determination: 07/30/2012
- B. District Office and File No: Los Angeles District, File No. Pending
- C. Project Location and Background Information: **Drainage Feature 9G**
- City, County, State Sif Oidak District, Tohono O'odham Nation, Pima and Pinal Counties, Arizona
- Center coordinates of site: Lat. 32.5073 Long. -111.9100
- Name of nearest waterbody: Unnamed Wash 9G
- Name of nearest downstream TNW: Gila River between Powers Butte and Gillespie Dam
- HUC Code: 15050306
- ☒ Map/Diagram of potential jurisdictional area is available on request
- D. Review Performed for Site Evaluation:
- Office Determination. Date:
- Field Determination. Date: 05/2012

**SECTION II: SUMMARY OF FINDINGS**

## A. RHA Section 10 Determination of Jurisdiction

There Are No "navigable waters of the U.S." within RHA jurisdiction in the review area.

## B. CWA Section 404 Determination of Jurisdiction

**There Are No** "waters of the U.S." within CWA jurisdiction in the review area.

1. Waters of the US:
- | Linear Feet | Width (ft) and/or | Acres |
|-------------|-------------------|-------|
|             |                   |       |
- Limits of Jurisdiction based on:

## 2. Non-Regulated Waters/Wetlands:

- ☒ Potentially jurisdictional waters and/or wetlands were assessed and determined not to be jurisdictional:

Drainage is ephemeral and does not qualify as a TNW or RPW. Therefore, this drainage could only be considered jurisdictional if it possessed a significant nexus with a downstream TNW. This drainage does not possess a significant nexus with the downstream TNW.

**SECTION III: CWA ANALYSIS**

## A. TNWs AND WETLANDS ADJACENT TO TNWs

1. Identified TNW:

Rationale for TNW determination:

2. Rationale for conclusion that any wetlands present are "adjacent":

## B. CHARACTERISTICS OF NON-TNW TRIBUTARY AND ITS ADJACENT WETLANDS

TNW Watershed Size (sq mi):	49650	Tributaries flow to TNW:	4
Drainage Area (sq mi):	0.00023	River Miles from tributary to TNW:	30 (or more)
Average Annual Rainfall (in):	8.5	River Miles from tributary to RPW:	
Average Annual Snowfall (in):	0	Aerial Miles from tributary to TNW:	30 (or more)
		Aerial Miles from tributary to RPW:	

- ☐ Project waters cross or serve as state boundaries. Explain:



Feature ID: 9G

Identify flow route to TNW:

Unnamed drainages within the Analysis Area are ultimately tributary to the Santa Rosa Wash. Topography suggests the most likely route of potential flow is Santa Rosa Wash to the Santa Cruz Wash to the Gila River.

Tributary is: Natural

Explain:

Average Width (ft): 4.50

Average Depth (ft): 1

Average Side Slopes: 2:1

Primary tributary substrate composition (check all that apply):

☒ Silts ☐ Sands ☐ Cobbles ☐ Bedrock ☒ Gravel ☐ Vegetation

☐ Concrete ☐ Muck Other, Explain:

Tributary Condition/Stability. Explain: Stable

Presence of Run/Riffle/Pool Complexes. Explain: Not Present

Tributary Geometry: Relatively Straight

Tributary Gradient (approximate average slope): 2%

**(c) Flow:**

Tributary Provides for: Ephemeral Flow

Average Flow Events per year: 2-5

Describe Flow Regime: Ephemeral

Other Information on Duration and Volume:

Surface Flow is: Confined

Characteristics:

Subsurface Flow: No

Explain:

Tributary Has:

☐ Bed and Banks

☒ OHWM: OHWM Indicators:

☐ Clear, natural line impressed on the bank

☐ Vegetation matted down, bent or absent

☒ Changes in soil character

☐ Leaf litter disturbed or washed away

☐ Shelving

☐ Presence of litter and debris

☐ Sediment deposition

☒ Destruction of terrestrial vegetation

☒ Sediment sorting

☐ Abrupt change in plant community

☐ Scour

☐ Multiple observed or predicted flow events

☐ Presence of wrack line

☐ Water staining

Other (list):

☐ Discontinuous? Explain:

**(iii) Chemical Characteristics:**

Characterize Tributary:

Identify Specific Pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**
☐ Riparian Corridor Characteristics:

☐ Wetland Fringe Characteristics:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally -sensitive species Explain:

☐ Aquatic/Wildlife diversity Explain:
**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW****(i) Physical Characteristics:**

Wetland Size (ac): Wetland Type, Explain:

Wetland Quality, Explain:

Project Wetlands Cross or Serve as State Boundaries, Explain:

Wetland Flow is: Explain:

Surface Flow is: Characteristics:

Subsurface Flow: Explain Findings:

☐ Wetland Directly Abutting Non-TNW

☐ Wetland Not Directly Abutting Non-TNW

☐ Discrete wetland hydrologic connection Explain:

☐ Ecological connection Explain:

☐ Separated by berm/barrier Explain:

Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Flow is From:

Approximate Location of Wetland within Floodplain:

**(ii) Chemical Characteristics:**

Characterize Wetland System:

**(iii) Biological Characteristics. Wetland supports (check all that apply):**
☐ Riparian Buffer Explain:

☐ Vegetation type/percent cover. Explain:

Habitat for:

☐ Federally Listed Species Explain:

☐ Fish/Spawn Areas Explain:

☐ Other environmentally-sensitive species Explain:

☐ Aquatic/Wildlife Diversity Explain:
**3. Characteristics of all wetlands adjacent to the non-TNW tributary (if any)**

All wetland(s) considered in cumulative analysis:

Wetland acres in total being considered in cumulative analysis:

Describe each wetland (directly abuts tributary?; size in acres; overall biological, chemical or physical functions):

**C. SIGNIFICANT NEXUS DETERMINATION****1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain:**

This unnamed ephemeral drainage is located more than 100 river miles from the nearest TNW, the Gila River between Powers Butte and Gillespie Dam. An analysis of peak yearly discharges and potential flood discharges, in combination with the geomorphology of the Analysis Area, the presence of a significant downstream manmade impoundment (Tat Momolikot Dam), and the distance to the TNW, suggests that the possibility of a hydrologic connection between this drainage and the TNW is tenuous. No pollutants or critical habitats were identified within the Analysis Area. Additionally, this unnamed ephemeral drainage does not provide lifecycle support functions, nutrients, or organic carbon to species within the TNW. This drainage does not have more than a speculative or insubstantial effect on the physical, chemical, and/or biological integrity of the TNW. Therefore, this unnamed ephemeral drainage does not possess a significant nexus with the TNW reach of the Gila River between Powers Butte and Gillespie Dam.

**2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain:****3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain:****D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE****1. TNWs and Adjacent Wetlands**

- ☐ TNWs:  Linear Feet  Width (ft), Or,  Acres
- ☒ Wetlands adjacent to TNWs:  Acres

Reserved for Section III D 2 (RPWs):

**3. Non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Non-TNW/non-RPW waterbody that flows directly or indirectly into a TNW and has a significant nexus with a TNW, and is therefore jurisdictional.

Length (Linear Feet):  Width (feet):  Acres:

Reserved for Section III D 4 (Wetlands directly abutting RPWs):

Reserved for Section III D 5 (Wetlands adjacent to but not directly abutting RPWs):

**6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- ☐ Wetland adjacent to non-RPWs which, in combination with the tributary and other adjacent wetlands, has a significant nexus with the TNW.

Estimated size of jurisdictional wetland (in acres):

**7. Impoundments of jurisdictional waters.**

Demonstration of Jurisdiction:

**E. ISOLATED WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE**

Supporting rationale:

Length (linear feet):  Acres:

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:**

Non-Jurisdictional Waters:

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Explain finding of no Significant Nexus:

As described in Section 3C1 above, an analysis of this ephemeral drainage determined that it did not possess a significant nexus with the nearest TNW.

Explain finding of Other:

- ☒ Non-wetland waters 1394.75 linear feet (ft), 4.50 width (ft)  
☐ Other waters acres  
☐ Wetlands acres

#### SECTION IV: DATA SOURCES

- ☒ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc.
- ☒ Data Sheets Prepared/Submitted on behalf of Applicant  
☐ Office Concurs with delineation  
☐ Office Does Not Concur with delineation
- ☐ Data Sheets Prepared by the Corps  
☐ Corps Navigable Water Study  
☐ US Geological Survey Hydrologic Atlas  
☐ USGS NHD Data  
☐ USGS 8 and 12 digit HUC Map
- ☒ US Geological Survey Map(s) Scale and Quad Name:  
Silver Reef Mountains SE, North Komelik, and Santa Rosa Mountains NW 7.5-Minute Quadrangles
- ☐ USDA Nat'l Res Conservation Service Soil Survey Citation:
- ☐ National Wetlands Inventory Maps Cite Map Name:
- ☐ State/Local Wetland Inventory Maps
- ☐ FEMA/FIR Maps
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Aerial Photographs (Name and Date): BING, Microsoft Virtual Earth 2008
- ☒ Other Photographs (Name and Date): Ground Photos; May 2012
- ☐ Previous Determinations File No. and Date of Response Letter:
- ☐ Applicable/Supporting Case Law Citation:
- ☐ Applicable/Supporting Scientific Literature Citation:
- Other Information, Please Specify:

Additional Comments to Support JD: