Feature ID: A

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

۱. REPOR	I: BACKGROUND INFO	<u>ORMATION</u>					
	T COMPLETION DATI	E FOR APPROVED	JURISDICTION	AL DETERMINA	TION (JD)		
3. DISTRIC	CT OFFICE, FILE NAM	E, AND NUMBER	Los Angeles	District, File No	o. Pending		
. PROJEC	CT LOCATION AND BA	ACKGROUND INFO	ORMATION: D	rainage Feature	A		
State:	AZ County	/Parish/borough:	Pima County			City:	Tucson
Center	coordinates of site: La	t. 32.126°N	Long.	-111.076°W			
Name c	of nearest waterbody:	Black Wash					
	of nearest Traditional N Sila River	avigable Water (TN	W) into which th	e aquatic resourc	e flows:		
Name c	of watershed or Hydrolo	ogic Unit Code (HUC	C): 15050	304			
\square Chec	ck if map/diagram of re ck if other sites (e.g, off erent JD form.	•	-		-	-	are recorded on a
). REVIEW	N PERFORMED FOR S	SITE EVALUATION	(CHECK ALL TH	AT APPLY)			
Offi	ice (Desk) Determinatio	n. Date:					
✓ Field	d Determination. Dat	e(s): 07/2013					
SECTION I	II: SUMMARY OF FIN	<u>DINGS</u>					
A. RHA S	SECTION 10 DETERM	INATION OF JURIS	SDICTION				
☐ Wat	the review area	i. and flow of the tide , or have been used	e. in the past, or m				oy 33 CFR part 329 in terstate or foreign comm
There	Are No "waters of the	U.S." within Clean \	Water Act (CWA)	jurisdiction (as d	efined by 33 C	FR part 3	28) in the review
1. V	area Waters of the U.S.						
а	☐ Non-RPWs that flo☐ Wetlands directly	to TNWs ent waters (RPWs) t w directly or indire abutting RPWs tha to but not directly	hat flow directly ctly into TNWs t flow directly or abutting RPWs tl	or indirectly into indirectly into TN nat flow directly o	NWs or indirectly ir	ito TNWs	
	☐ Wetlands adjacent☐ Impoundments of		S	ated wetlands			
k	☐ Wetlands adjacent☐ Impoundments of	jurisdictional water e or intrastate) wate	s ers, including isol				
k	☐ Wetlands adjacent☐ Impoundments of☐ Isolated (interstate	jurisdictional water e or intrastate) wate ize of waters of the	s ers, including isol	w area	th (ft) and/or		Acres
k	□ Wetlands adjacent □ Impoundments of □ Isolated (interstate b. Identify (estimate) si	jurisdictional water e or intrastate) wate ize of waters of the	s ers, including isola U.S. in the revie	w area	th (ft) and/or		Acres
	□ Wetlands adjacent □ Impoundments of □ Isolated (interstate b. Identify (estimate) si Non-Wetlands water	jurisdictional water e or intrastate) wate ize of waters of the	s ers, including isola U.S. in the revie Linear Feet	w area	th (ft) and/or		Acres

Explain: 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.

Feature ID:	A
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		Vegetation
	Summarize rationale s	upporting determination:	
2.	Wetland adjacent to	TN	

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

Watershed Size (sq mi): Drainage Area (sq mi): Average Annual Rainfall (in): 49650 0.00200 10.47

Average Annual Snowfall (in):

(ii) Physical Characteristics:

(i) General Area Conditions:

(a)	Re	lati	onsl	hip	with	TNW

☐ Tributary flows directly to TNW ☐ Tributary flows through 7		tributaries before entering TNW
Project waters are	30 (or more)	river miles from TNW

1.1

Feature ID: A

Project waters are		river Miles from tributary to RPW:
·	30 (or more)	aerial (straight) miles from tributary to TNW:
Project waters are	30 (01 111016)	aerial (straight) miles from tributary to RPW:
Project waters cross o	r corvo as stato b	
-		
Identify flow route to	to Los Rol	feature A flows to Black Wash, Black Wash flows to Brawley Wash, bles Wash, to Greene Canal, to Greene Wash, to Santa Rosa Wash, cruz Wash, and then to the Gila River.
(b) General Tributary Chara	<u>cteristics</u>	
Tributary is: Natural	Explain:	
Tributary properties wit Average Width (ft): Average Depth (ft): Average Side Slope	0.97	of bank (estimate):
Primary tributary subs	trate compositio	n (check all that apply):
☐ Cobbles ☑ Gr		ncrete
Tributary Condition/S	Stability [e.g., hig	hly eroding, sloughing banks. Explain: Stable
Presence of Run/Riffle		, 6, 6 6 1
Tributary Geometry:	Relatively S	·
Tributary Gradient (a		-
,	•	
(c) Flow:		
	eral Flow	
Estimate average number of flow		area/year: 2-5
	Ephemeral	
Other Information on Duration a	nd Volume:	
Surface Flow is: Discrete	e and Confined	Characteristics:
Subsurface Flow: No		Explain:
\Box Dye (or other) test perform	ned:	
Tributary Has (Check all that appl	y):	
□ Bed and Banks☑ OHWM (check all the apply):	OHWM Indicate	ors:
 ✓ Clear, natural line impress ✓ Changes in soil character ☐ Shelving ☐ Vegetation matted down, ☐ Leaf litter disturbed or wa ✓ Sediment deposition ☐ Water staining 	sed on the bank	 ✓ Presence of litter and debris □ Destruction of terrestrial vegetation □ Presence of wrack line □ Sediment sorting □ Scour □ Multiple observed or predicted flow events □ Abrupt change in plant community

☐ Discontinuous? Explain:

Feature ID: A

If factors other than the OHWN were used to determine lateral extent of CWA jurisdiction (Check all that apply) High tide line indicated by: ☐ Mean High water Mark indicated by: oil or scum line along shore objects □ survey to available datum fine shell or debris deposits (foreshore) physical markings physical markings/characteristics vegetation lines/changes in vegetation types ☐ tidal gauges \Box other (iii) Chemical Characteristics: Characterize Tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc): Explain: 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 findings:** ☐ Fish/Spawn Areas **Explain findings:** ☐ Other environmentally -sensitive species Explain findings: Aquatic/Wildlife diversity Explain: 2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW (i) Physical Characteristics: (a) General Wetland Characteristics **Properties:** Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: (b) General Flow Relationship with Non-TNW: Wetland Flow is: Explain: Surface Flow is: Characteristics: Subsurface Flow: **Explain Findings:** (c) Wetland Adjacency Determination with Non-TNW: ☐ Wetland Directly Abutting Non-TNW □ Wetland Not Directly Abutting Non-TNW ☐ Discrete wetland hydrologic connection Explain: Ecological connection Explain: ☐ Separated by berm/barrier Explain: (d) Proximity (Relationship) to TNW Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Feature ID: A

Flow is From:	
Estimate approximate Location of Wetland	within Floodplain:
(ii) Chemical Characteristics:	
Characterize wetland system (e.g., water color is claracteristics: ect.).	lear, brown, oil film on surface; water quality; general watershed
Explain Identify specific pollutants, if know:	
(iii) Biological Characteristics. Wetland supports (che	ck all that apply):
☐ Riparian Buffer Characteristics (type, aver	age width):
☐ 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 tribut	ary (if any)
All wetland(s) being considered in cumulative analy	rsis:
Wetland acres in total being considered in cumulati	ive analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: A

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act.

	nysical, chemical exist and these d		_					efore a significant er Act.
TNW. Explain fi	2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus belwo, based on the tributary in combination with all of its adjacent welands. then go to SectionIII.D:							
_	ence of signifcar		-				-	PW. Explain findings of its adjacent wetlands
ETERMINATION	S OF JURISDICT	IONAL F	INDING	S. THE SU	BJECT W	ATERS/WETL	ANDS ARE (CHECK ALL THAT AI
1. TNWs and Adj	acent Wetlands	. Check	all that a	pply and pr	ovide size	estimates in r	eview area:	
\square TNWs	Linear Feet:			Width (ft)		TNW Acres		
\square Wetlands a	djacent to TNWs	: Acres:						
2. RPWs that flo	w directly or inc	lirectly int	to TNWs					
	of TNWs where ary is perennial:	tributaries	s typicall	y flow year	round are	e jurisdictional.	Provide data	a and Rationale indica
	al. Data supporti						-	nonths each year) are dicating that tributary
Provide	estimates for jur	isdictiona	l waters	in the revie	w are (ch	eck all that app	oly):	
☐ Trib	utary waters	678	.53 Line	ar Feet:	0.09	7 Width (Ft).		
\Box Othe	er non-wetland v	vaters:	Acres:	0.05				
3. Non-RPWs th	at flow directly (or indirect	tly into T	'NWs				
☐ Waterbody	-	V or an RP	PW, but f	flows direct	•	•		s significant nexus
Provide estim	ates of jurisdiction	onal water	rs within	the review	area (che	ck all that appl	y):	
Length (Line	ear Feet):		Widt	h (feet):		Acres:		
4. Wetlands dire	ectly abutting an	RPW tha	t flow di	rectly or in	directly in	to TNWs.		
☐ Wetlands d	lirectly abut RPW	/ and thus	are juris	sdictional as	adjacent	wetlands.		
☐ Wetlan indicati	ds directly abutt	ing an RPV	W where	tributaries	typically f	low year-roun		ata and rationale that wetland is directly
is seaso								data indicating that tring that tring that wetland is dire
	age estimates fo	r iurisdicti	ional we	tland in the	review ar	ea: Acres		

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: A

adjacent and with sin		ered in combination with the tributary to which they are a significant nexus with a TNW are jurisidictional. Data
	es for jurisdictional wetland in the review	varea: Acres:
_	- n-RPWs that flow directly or indirectly in	
☐ Wetlands adjacent to suc	ch waters, and have when considered in dadjacent wetlands, have a significant i	combination with the tributary to which they are adjacent nexus with a TNW are jurisdictional. Data supporting this
Provide estimates for jur	isdictional wetland in the review area (ir	acres):
7. Impoundments of jurisdiction	onal waters.	
Demonstration of Jurisdicti		
Supporting rationale: Length (linear feet): F. NON-JURISDICTIONAL WATE Non-Jurisdictional Waters:	•	lexus" standard, where such a finding is
	required for jurisdiction.	
Explain finding of no Significa	nt Nexus:	
	nigratory birds, presence of endangered	rea, where the sole potential basis of jurisdiction is the species, use of water for irrigated agriculture), using best
\square Non wetland-Waters (i.e.,	rivers, streams): linear feet :	width (ft):
Other Non-wetland WaterWetlands MBR acres:	s MBR acres:	
	non-jurisdictional waters in the review a d for jurisdiction (check all that apply):	rea that do not meet the "Significant Nexus" standard,
☐ Non-wetland waters	linear feet (ft),	width (ft)

acres

☐ Wetlands

Feature ID: A

SECTION IV: DATA SOURCES	

Additional Comments to Support JD:

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below): ✓ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc. ✓ Data Sheets Prepared/Submitted by or on behalf of Applicant/Consultant Office Concurs with data sheets/delineation report ☐ Office Does Not Concur with data sheets/delineation report ☐ Data Sheets Prepared by the Corps ☐ Corps Navigable Water Study ☐ US Geological Survey Hydrologic Atlas ☐ USGS NHD Data USGS 8 and 12 digit HUC Maps ✓ US Geological Survey Map(s) Scale and Quad Name: San Xavier Mission and Cat Mountain 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/FIRM Maps: ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929) ✓ Aerial Photographs (Name and Date): ESRI Online Microsoft 2010 ✓ Other Photographs (Name and Date): Ground Photos; June through July 2013 Previous Determinations File No. and Date of Response Letter: ☐ Applicable/Supporting Case Law Citation: ☐ Applicable/Supporting Scientific Literature Citation: Other Information, Please Specify:

Feature ID:	В
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This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

	: BACKGROUND INFO	<u>.</u>	D JURISDICTIO	NAL DETERMINATI	ION (ID)			
	CT OFFICE, FILE NAM			es District, File No.				
	T LOCATION AND BA				В			
State:		/Parish/borough:			В	City:	Tucson	
	coordinates of site: La	_	Lor	·		City.	1463011	
	of nearest waterbody:	Black Wash	LOI	ig111.070 vv				
	•		FNINA/) into which	the equatic recourse	flourer			
	of nearest Traditional N ila River	avigable water (invv) iiito wiiicii	the aquatic resource	IIOWS.			
Name o	of watershed or Hydrolo	ogic Unit Code (H	UC): 150	050304				
	ck if map/diagram of re	_		tional areas is/are ava	ailable upon	request		
	ck if other sites (e.g, off	-	-		· ·		are recorded	on a
	rent JD form.	one magacion or	es, aisposai sices	, etc, are associated		cion ana	are recorded	011 0
. REVIEW	V PERFORMED FOR S	SITE EVALUATIO	N (CHECK ALL	THAT APPLY)				
	ce (Desk) Determinatio		<u> </u>					
	d Determination. Dat							
ECTION I	I: SUMMARY OF FIN	DINGS						
	ECTION 10 DETERMI		RISDICTION					
Thoro Are	o No "navigable wate	ors of the U.S." wi	ithin Pivors and L	Harbors Act(RHA) jur	icdiction (ac	dofinad	hy 22 CED nar	+ 220 in
There Are	the review area		ittiili Rivers aliu r	narbors Act (KHA) jur	isaiction (as	denned	by 33 CFR par	t 329 III
\square Wat	ters subject to the ebb		de.					
\square Wat	ters are presently used,	or have been us	ed in the past, or	may be susceptible f	or use to tra	nsport in	iterstate or fo	reign comn
R CWA	SECTION 404 DETERN	ΜΙΝΔΤΙΩΝ ΩΕ ΙΙ	LIRISDICTION					
	Are No "waters of the			A) jurisdiction (as def	ined by 33 C	FR nart 3	(28) in the rev	riew
	area	o.s. Within cica	ii watei net (ew	, ty jan isalection (as acr	inca by 55 c	in part 3	,20, III the rev	1044
	Vaters of the U.S.	•						
а	a. Indicate presence of TNWs (new)	water of U.S. in i	review area (Che	ck all the apply):				
	Wetlands adjacent	to TNWs						
	Relatively permane	ent waters (RPWs) that flow direct	tly or indirectly into T	NWs			
	☐ Non-RPWs that flo							
				or indirectly into TNV				
				s that flow directly or r indirectly into TNWs		to INWs		
	Impoundments of		•	r indirectly into Tivivis	•			
	☐ Isolated (interstate	=		solated wetlands				
Ł	o. Identify (estimate) si	,						
	Non-Wetlands water		Linear Feet		(ft) and/or		Acres	
	Wetlands Acres:							
	c. Limits (boundaries)	of Jurisdiction ba	sed on:					
	c. Limits (boundaries) (Ion-Regulated Waters/	of Jurisdiction ba						

Explain: 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.

Feature ID:	В
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		Vegetation
	Summarize rationale s	upporting determination:	
_	14/a4lawd adiaaaw4 4a	TAI	

2. Wetland adjacent to TN

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed Size (sq mi):	49650
Drainage Area (sq mi):	0.00759
Average Annual Rainfall (in):	10.47
Average Annual Snowfall (in):	1.1

(ii) Physical Characteristics:

(a) Relationship with TNW

☐ Tributary flows di☐ Tributary flows th		tributaries before entering TNW
Project waters are	30 (or more)	river miles from TNW

Feature ID: B

Project waters	s are		river Miles	from tribu	tary to R	PW:	
Project water	s are 30 (or	r more)	aerial (stra	ight) miles	from trib	outary to TN	W:
Project water	s are		aerial (stra	ight) miles	from trib	outary to RP\	N:
Project water	s cross or serv	e as state b	oundaries.	Explain:		-	
Identify flow r	oute to TNW	to Los Rob		o Greene	Canal, to	Greene Was	flows to Brawley Wash, h, to Santa Rosa Wash,
(b) General Tributa	ry Characteris	<u>tics</u>					
Tributary is: Na	atural	Explain:					
Tributary prope Average W Average De Average Sie	idth (ft): epth (ft):	pect to top 1.29 1 3:1	of bank (es	timate):			
Primary tribut	ary substrate	compositio	n (check all	that annly	/)·		
✓ Silts ☐ Cobble ☐ Bedroc	☐ Sands S ☑ Gravel	☐ Con te - Vegetat	ion Oth	er, Explain	Muck :	vnlain: S	table
·	Run/Riffle/Poo		-		ot Presen		rabic
Tributary Geo		Relatively St	<u> </u>	14	ot i reseri		
·	idient (approx	•		1%			
(c) Flow: Tributary Provides for: Estimate average number Describe Flow Reg	Ephemeral Fl	low s in review a			2-5		
Other Information on Du							
Surface Flow is:	Discrete and	Confined	Characte	ristics:			
Subsurface Flow:	No		Explain:				
\Box Dye (or other) test	performed:						
Tributary Has (Check all t Bed and Banks	hat apply):						
✓ OHWM (check all the				_			
✓ Clear, natural line✓ Changes in soil ch☐ Shelving☐ Vegetation matte☐ Leaf litter disturb	aracter d down, bent	or absent	[]]]]	Destruc Presenc			etation
✓ Sediment deposit ☐ Water staining Other (list):		away		 Multiple		d or predicto plant comn	ed flow events nunity

Feature ID: B

If factors other than the OHWN were used to determ	nine lateral extent of CWA jurisdiction (Check all that apply)
High tide line indicated by:	☐ Mean High water Mark indicated by:
oil or scum line along shore objects	\square survey to available datum
fine shell or debris deposits (foreshore)	\square physical markings
\square physical markings/characteristics	\square vegetation lines/changes in vegetation types
\square tidal gauges	
\square other	
(iii) Chemical Characteristics:	
Characterize Tributary (e.g., water color is clear, discolo	ored, oily film; water quality; general watershed characteristics, e
Explain:	
Identify Specific Pollutants, if known:	
(iv) Biological Characteristics. Channel supports (check all t	that apply):
Riparian Corridor Characteristics:	
☐ Wetland Fringe Characteristics:	
Habitat for:	
Federally Listed Species Explain findings:	
☐ Fish/Spawn Areas Explain findings:	
Other environmentally -sensitive species	Explain findings:
Aquatic/Wildlife diversity Explain:	F
(a) General Wetland Characteristics Properties: Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain:	
Project Wetlands Cross or Serve as State Boundaries,	, Explain:
(b) General Flow Relationship with Non-TNW:	
Wetland Flow is: Explain	n:
Surface Flow is:	
Characteristics:	
Subsurface Flow: Explain Fi	indings:
(c) Wetland Adjacency Determination with Non-TNW:	
☐ Wetland Directly Abutting Non-TNW	
☐ Wetland Not Directly Abutting Non-TNW	
☐ Discrete wetland hydrologic connection	Explain:
☐ Ecological connection Explain:	r
Separated by berm/barrier Explain:	
(d) Proximity (Relationship) to TNW	
Project Wetlands: River Miles from TNW:	

2.

Project Wetlands: Aerial Miles from TNW:

Feature ID: B

Flow is From:				
Estimate approxi	mate Location of Wetland v	vithin Floodplai	n:	
(ii) Chemical Characteristic	::			
Characterize wetland sy characteristics: ect.). Explain Identify specific pollutar	· -	ear, brown, oil f	ilm on surface; w	rater quality; general watershed
(iii) Biological Characteristi	cs. Wetland supports (chec	k all that apply):	
☐ Riparian Buffer	Characteristics (type, avera	age width):		
☐ Vegetation type/	percent cover. Explain:			
Habitat for:				
☐ Federally Listed	Species Explain:			
☐ Fish/Spawn Area	s Explain:			
Other environme	entally-sensitive species	Explain:		
☐ Aquatic/Wildlife	Diversity Explain:			
3. Characteristics of all wetla	nds adjacent to the tributa	ary (if any)		
All wetland(s) being cons	idered in cumulative analys	sis:		
Wetland acres in total be	eing considered in cumulati	ve analysis:		

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

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Feature ID: B **U.S Army Cops of Engineers**

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the

2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly in TNW. Explain findings of presence or absence of significant nexus belwo, based on the tributary in combination with of its adiacent welands. then go to SectionIII.D: 3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain findings presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetland then go to Section III.D: DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT A 1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area: TNWs Linear Feet: Width (ft): TNW Acres Wetlands adjacent to TNWs: Acres: 2. RPWs that flow directly or indirectly into TNWs Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale indicatent tributary is perennial: Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: Provide estimates for jurisdictional waters in the review are (check all that apply): Tributary waters 3788.6 Linear Feet: 1.29 Width (Ft).
presence or absence of signifcant nexus below, based on the tributary in combination with all of its adjacent wetland then go to Section III.D: DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT A 1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area: TNWs Linear Feet: Width (ft): TNW Acres Wetlands adjacent to TNWs: Acres: 2. RPWs that flow directly or indirectly into TNWs Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale indicated that tributary is perennial: Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: Provide estimates for jurisdictional waters in the review are (check all that apply): Tributary waters 3788.6 Linear Feet: 1.29 Width (Ft).
1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area: TNWs Linear Feet: Width (ft): TNW Acres Wetlands adjacent to TNWs: Acres: 2. RPWs that flow directly or indirectly into TNWs Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale indicated that tributary is perennial: Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: Provide estimates for jurisdictional waters in the review are (check all that apply): Tributary waters 3788.6 Linear Feet: 1.29 Width (Ft).
 □ TNWs Linear Feet: Width (ft): TNW Acres □ Wetlands adjacent to TNWs: Acres: 2. RPWs that flow directly or indirectly into TNWs □ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale indicated that tributary is perennial: □ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: □ Provide estimates for jurisdictional waters in the review are (check all that apply): □ Tributary waters 3788.6 Linear Feet: 1.29 Width (Ft).
 □ Wetlands adjacent to TNWs: Acres: 2. RPWs that flow directly or indirectly into TNWs □ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale indicate that tributary is perennial: □ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: □ Provide estimates for jurisdictional waters in the review are (check all that apply): □ Tributary waters 3788.6 Linear Feet: 1.29 Width (Ft).
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 □ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale indicate that tributary is perennial: □ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: □ Provide estimates for jurisdictional waters in the review are (check all that apply): □ Tributary waters 3788.6 Linear Feet: 1.29 Width (Ft).
 □ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale indicate that tributary is perennial: □ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: □ Provide estimates for jurisdictional waters in the review are (check all that apply): □ Tributary waters 3788.6 Linear Feet: 1.29 Width (Ft).
jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: Provide estimates for jurisdictional waters in the review are (check all that apply): Tributary waters 3788.6 Linear Feet: 1.29 Width (Ft).
☐ Tributary waters 3788.6 Linear Feet: 1.29 Width (Ft).
Other non-wetland waters: Acres: 0.37
3. Non-RPWs that flow directly or indirectly into TNWs.
☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has significant nexus with a TNW is jurisdictional. Data supporting this conclusion provided at section III.c.
Provide estimates of jurisdictional waters within the review area (check all that apply):
Length (Linear Feet): Width (feet): Acres:
4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.
\square Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is direct abutting and RPW:
Wetlands directly abutting an RPW where tributaries typically flow "Seasonally". Provide data indicating that to is seasonal in Section III.B and rationale in Section III.D.2 above. Provide rationale indicating that wetland is directly abutting and RPW

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: B

		dered in combination with the tributary to which they are
-	nilarly situated adjacent wetlands, have usion is provided at Section III.C.	a significant nexus with a TNW are jurisidictional. Data
	es for jurisdictional wetland in the revie	w area: Acres:
Provide acreage estimate	is for jurisdictional wettand in the revie	w died. Acres.
6. Wetlands adjacent to non	-RPWs that flow directly or indirectly	into TNWs.
-	d adjacent wetlands, have a significant	n combination with the tributary to which they are adjace nexus with a TNW are jurisdictional. Data supporting thi
Provide estimates for juri	sdictional wetland in the review area (n acres):
7. Impoundments of jurisdiction	onal waters.	
Demonstration of Jurisdiction	on:	
Supporting rationale: Length (linear feet): NON-JURISDICTIONAL WATE Non-Jurisdictional Waters:	Waters do not meet the "Significant	Nexus" standard, where such a finding is
	required for jurisdiction.	
Explain finding of no Significat	nt Nexus:	
_	nigratory birds, presence of endangere	area, where the sole potential basis of jurisdiction is the d species, use of water for irrigated agriculture), using be
\square Non wetland-Waters (i.e., r	rivers, streams): linear feet:	width (ft):
Other Non-wetland Waters	s MBR acres:	
☐ Wetlands MBR acres:		
=	non-jurisdictional waters in the review d for jurisdiction (check all that apply):	area that do not meet the "Significant Nexus" standard,
Non-wetland waters	linear feet (ft),	width (ft)

acres

☐ Wetlands

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II C Amour Come of Empire and		

SECTION IV: DATA SOURCES

ecked and requested, appropriately reference sources Maps, Plans, Plots or Plat Submitted by Applica	ant/Consultant:	WestLand Resources, Inc.
✓ Data Sheets Prepared/Submitted by or on behalf of A	•	•
 Office Concurs with data sheets/delineation repo 	• • •	
☐ Office Does Not Concur with data sheets/delinear		
Data Sheets Prepared by the Corps	•	
☐ Corps Navigable Water Study		
US Geological Survey Hydrologic Atlas		
☐ USGS NHD Data		
☐ USGS 8 and 12 digit HUC Maps		
US Geological Survey Map(s) Scale and Quad Na	ime:	
San Xavier Mission and Cat Mountain 7.5-Minute	e Quadrangles	
USDA Nat'l Res Conservation Service Soil Survey	Citation:	
☐ National Wetlands Inventory Maps		
☐ State/Local Wetland Inventory Maps		
FEMA/FIRM Maps:		
100-year Floodplain Elevation is:	(Natio	onal Geodetic Vertical Datum of 1929)
Aerial Photographs (Name and Date): ESRI On	nline Microsoft 20	010
Other Photographs (Name and Date): Ground	l Photos; June thro	ough July 2013
	ecnonce Letter:	
\square Previous Determinations File No. and Date of Re	TOPOLISE LELLEI.	
	esponse Letter.	
Applicable/Supporting Case Law Citation:	tation:	
Applicable/Supporting Case Law Citation:	•	

JRISDICTIONAL DETERMINATION FORM Feature ID: Black Wash

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD) 1. DISTRICT OFFICE, FILE NAME, AND NUMBER 1. COS Angeles District, File No. Pending 2. PROJECT LOCATION AND BACKGROUND INFORMATION: Drainage Feature Black Wash State: AZ County/Parish/borough: Pima County City: Tucson Center coordinates of site: Lat. 32.126°N Long111.076°W Name of nearest waterbody: Black Wash Name of nearest traditional Navigable Water (TNW) into which the aquatic resource flows: Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are available upon request Check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different JD form. D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) Office (Desk) Determination. Date(s): 07/2013 ECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign communities. B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): THW's (new) Wetlands adjacent to TNWS Wetlands Adjacent to non-RPWs that flow directly or indirectly into TNWS Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Wetlands Adres to non-RPWs that flow directly or indirectly into TNWS Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Light of the past of the	ECTION I: BACKGROUND INFORMATION			
State: AZ	A. REPORT COMPLETION DATE FOR APPROVED	JURISDICTIONAL DETERMINATI	ON (JD)	
State: AZ County/Parish/borough: Pima County City: Tucson Center coordinates of site: Lat. 32.126*N Long. 111.076*W Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are available upon request Check if other sites (e.g. offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different JD form. PREVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) Office (Desk) Determination. Date: Field Determination. Date(s): 07/2013 ECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters as object to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign common the review area. B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWS (new) Wetlands adjacent to TNWS Relatively permanent waters (RPWs) that flow directly or indirectly into TNWS Wetlands adjacent to to non-RPWs that flow directly or indirectly into TNWS Wetlands adjacent to to non-RPWs that flow directly or indirectly into TNWS Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Inpoundments of jurisdictional waters Linear Feet Wetlands Acres: C. Limits (boundaries) of Jurisdiction based on:	B. DISTRICT OFFICE, FILE NAME, AND NUMBER	Los Angeles District, File No.	Pending	
Center coordinates of site: Lat. 32.126'N Long111.076'W Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are available upon request check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different ID form. P. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) Office (Desk) Determination. Date: Filed Determination. Date: Filed Determination. Date(s): 07/2013 ECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters subject to the ebb and flow of the tide. B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Wetlands adjacent to obt on to directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to obt on the directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to on the state of the U.S. in the review area Non-RPWs that flow directly waters, including isolated wetlands b. Identify (estimate) size of waters of the U.S. in the review area Non-Wetlands waters Linear Feet Width (ft) and/or Acres Wetlands Acres: C. Limits (boundaries) of Jurisdiction based on:	. PROJECT LOCATION AND BACKGROUND INFO	RMATION: Drainage Feature	Black Wash	
Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are available upon request Check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different 1D form. Provided Performed For SITE EVALUATION (CHECK ALL THAT APPLY) Office (Desk) Determination. Date: Field Determination. Date(s): 07/2013 ECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commands. B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area area. 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): ThWS (new) Wetlands adjacent to TNWS Relatively permanent waters (RPWs) that flow directly or indirectly into TNWS Wetlands directly abutting RPWs that flow directly or indirectly into TNWS Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Hetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Hetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Hetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Hetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Hetlands waters Linear Feet Wetlands Acres: Linear Feet Wetlands Acres: C. Limi	State: AZ County/Parish/borough:	Pima County	City:	Tucson
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Gila River	Center coordinates of site: Lat. 32.126°N	Long111.076°W		
Sila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 ☑ Check if map/diagram of review are and/or potential jurisdictional areas is/are available upon request ☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different JD form. D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) ☐ Office (Desk) Determination. Date:	Name of nearest waterbody: Black Wash			
✓ Check if map/diagram of review are and/or potential jurisdictional areas is/are available upon request Check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different JD form. D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) Office (Desk) Determination. Date: O7/2013		V) into which the aquatic resource	flows:	
Check if other sites (e.g. offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different JD form. D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) Office (Desk) Determination. Date:	Name of watershed or Hydrologic Unit Code (HUC	15050304		
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Office (Desk) Determination. Date: Field Determination. Date(s): 07/2013 ECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No	\Box Check if other sites (e.g, offsite mitigation sites,	-		are recorded on a
Office (Desk) Determination. Date: Field Determination. Date(s): 07/2013 ECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No	D. REVIEW PERFORMED FOR SITE EVALUATION	(CHECK ΔΙΙ ΤΗΔΤ ΔΡΡΙΥ)		
ECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign comr B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Non-RPVWs that flow directly or indirectly into TNWs Wetlands dijacent to but not directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Wetlands adjacent to put not directly abutting RPWs that flow directly or indirectly into TNWs Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters, including isolated wetlands b. Identify (estimate) size of waters of the U.S. in the review area Non-Wetlands waters Linear Feet Width (ft) and/or Acres Wetlands Acres: C. Limits (boundaries) of Jurisdiction based on:				
A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign comr B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Non-RPWs that flow directly or indirectly into TNWs Wetlands directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Impoundments of jurisdictional waters Indicate presence of waters of the U.S. in the review area Non-Wetlands waters Linear Feet Width (ft) and/or Acres Wetlands Acres: C. Limits (boundaries) of Jurisdiction based on:	· · · · · · · · · · · · · · · · · · ·			
A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign comr B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Non-RPWs that flow directly or indirectly into TNWs Wetlands directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Impoundments of jurisdictional waters Indicate presence of waters of the U.S. in the review area Non-Wetlands waters Linear Feet Width (ft) and/or Acres Wetlands Acres: C. Limits (boundaries) of Jurisdiction based on:	ECTION II: SUMMARY OF FINDINGS			
the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commodified by 33 CFR part 328) in the review area. B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWS (new) Wetlands adjacent to TNWS Relatively permanent waters (RPWs) that flow directly or indirectly into TNWS Non-RPWs that flow directly or indirectly into TNWS Wetlands directly abutting RPWs that flow directly or indirectly or indirectly into TNWS Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWS Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWS Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters, including isolated wetlands b. Identify (estimate) size of waters of the U.S. in the review area Non-Wetlands waters Linear Feet Width (ft) and/or Acres Wetlands Acres: c. Limits (boundaries) of Jurisdiction based on:		DICTION		
Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign common to the past of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. 1. Waters of the U.S. in the review area 1. Waters of the U.S. 1. Wate	the review area.		isdiction (as defined b	y 33 CFR part 329 in
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There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Non-RPWs that flow directly or indirectly into TNWs Wetlands directly abutting RPWs that flow directly or indirectly or indirectly into TNWs Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters, including isolated wetlands b. Identify (estimate) size of waters of the U.S. in the review area Non-Wetlands waters Linear Feet Width (ft) and/or Acres Wetlands Acres: c. Limits (boundaries) of Jurisdiction based on:				
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TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Non-RPWs that flow directly or indirectly into TNWs Wetlands directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters, including isolated wetlands b. Identify (estimate) size of waters of the U.S. in the review area Non-Wetlands waters Linear Feet Width (ft) and/or Acres Wetlands Acres:				
Non-Wetlands waters Wetlands Acres: C. Limits (boundaries) of Jurisdiction based on: Linear Feet Width (ft) and/or Acres	☐ TNWs (new) ☐ Wetlands adjacent to TNWs ☐ Relatively permanent waters (RPWs) th ☐ Non-RPWs that flow directly or indirect ☐ Wetlands directly abutting RPWs that ☐ Wetlands adjacent to but not directly at the wetlands adjacent to non-RPWs that for Impoundments of jurisdictional waters	nat flow directly or indirectly into TI tly into TNWs flow directly or indirectly into TNW abutting RPWs that flow directly or low directly or indirectly into TNWs	vs indirectly into TNWs	
Wetlands Acres: c. Limits (boundaries) of Jurisdiction based on:	b. Identify (estimate) size of waters of the	U.S. in the review area		
c. Limits (boundaries) of Jurisdiction based on:	Non-Wetlands waters	near Feet Width	(ft) and/or	Acres
	Wetlands Acres:			
2 Non Pagulated Waters/Watlands (shock if applicable)	c. Limits (boundaries) of Jurisdiction based	d on:		
z. Non-regulated waters/ wetlands icheck if applicable):	2. Non-Regulated Waters/Wetlands (check if	applicable):		

Explain: 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.

Feature ID: Black Wash

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

Project waters are

30 (or more)

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW		
Identify TNW:		☐ Vegetation
Summarize rationale supporting deter	rmination:	
2. Wetland adjacent to TN		
Summarize rationale supporting cond	clusion that wetland is "	adjacent"
B. CHARACTERISTICS OF TRIBUTARY (1	THAT IS NOT A TNW)	AND ITS ADJACENT WETLANDS (IF ANY)
		of the tributary and its adjacent wetlands, if any, and it established under Rapanos have been met.
(e.g., typically 3 months). A wetland that TNW, but has year-round (perennial) flow A wetland that is adjacent to but that dedistricts and EPA regions will include in significant nexus between a relatively putraditional navigable water, even though the waterbody is not an RPW, or a weekland the waterbody has a significant nexus we evaluation must consider the tributary in evaluation that combines, for analytical review area identified in the JD request	ot directly abuts an RPW ow, skip to Section III.D. oes not directly abut an the record any available termanent tributary that is a significant nexus finetland directly abutting with a TNW. If the tributin combination with all purposes, the tributary is the tributary, or its a	an RPW, a JD will require additional data to determine in ary has adjacent wetlands, the significant nexus of its adjacent wetlands. This significant nexus and all of its adjacent wetlands is used whether the djacent wetlands, or both. If the JD covers a tributary
		ry, Section III.B.2 for any onsite wetlands, and Section nd offsite. The determination whether a significant nexus
exists is determined in Section III.C belo		id offsite. The determination whether a significant nexus
1. Characteristics of non-TNWs that flo	ow directly or indirectly	into TNW
(i) General Area Conditions:		
	49650	
(i) General Area Conditions:	49650 0.00355	
(i) General Area Conditions: Watershed Size (sq mi):		
(i) General Area Conditions: Watershed Size (sq mi): Drainage Area (sq mi):	0.00355	
(i) General Area Conditions: Watershed Size (sq mi): Drainage Area (sq mi): Average Annual Rainfall (in):	0.00355 10.47	
(i) General Area Conditions: Watershed Size (sq mi): Drainage Area (sq mi): Average Annual Rainfall (in): Average Annual Snowfall (in):	0.00355 10.47	
(i) General Area Conditions: Watershed Size (sq mi): Drainage Area (sq mi): Average Annual Rainfall (in): Average Annual Snowfall (in): (ii) Physical Characteristics:	0.00355 10.47 1.1	

river miles from TNW

Feature ID: Black Wash

Project waters are river Miles from tributary to RPW: Project waters are 30 (or more) aerial (straight) miles from tributary to TNW: Project waters are aerial (straight) miles from tributary to RPW: Project waters cross or serve as state boundaries. Explain: Identify flow route to TNW Black Wash flows to Brawley Wash, to Los Robles Wash, to Greene Canal, to Greene Wash, to Santa Rosa Wash, to Santa Cruz Wash, and then to the Gila River. (b) General Tributary Characteristics Tributary is: Natural Explain: Tributary properties with respect to top of bank (estimate): Average Width (ft): 1.77 Average Depth (ft): 1 Average Side Slopes: 3:1 Primary tributary substrate composition (check all that apply): ✓ Silts Concrete ☐ Muck Sands Cobbles ✓ Gravel Bedrock Other, Explain: ☐ Substrate - Vegetation Tributary Condition/Stability [e.g., highly eroding, sloughing banks. Explain: Stable Presence of Run/Riffle/Pool Complexes. Explain: Not Present **Tributary Geometry:** Relatively Straight Tributary Gradient (approximate average slope): 1% (c) Flow: Tributary Provides for: **Ephemeral Flow** Estimate average number of flow events in review area/year: 2-5 Describe Flow Regime: Ephemeral Other Information on Duration and Volume: Characteristics: Surface Flow is: Discrete and Confined Subsurface Flow: No Explain: Dye (or other) test performed: Tributary Has (Check all that apply): ☐ Bed and Banks ✓ OHWM (check all the apply): OHWM Indicators: ☐ Clear, natural line impressed on the bank ✓ Presence of litter and debris ☐ Destruction of terrestrial vegetation Changes in soil character ☐ Presence of wrack line Shelving ✓ Vegetation matted down, bent or absent Sediment sorting ☐ Leaf litter disturbed or washed away Scour ✓ Sediment deposition ☐ Multiple observed or predicted flow events Water staining Abrupt change in plant community Other (list):

☐ Discontinuous?

Explain:

Feature ID: Black Wash

If factors other than the OHWN were used to determine lateral extent of CWA jurisdiction (Check all that apply) High tide line indicated by: ☐ Mean High water Mark indicated by: oil or scum line along shore objects □ survey to available datum fine shell or debris deposits (foreshore) physical markings physical markings/characteristics vegetation lines/changes in vegetation types ☐ tidal gauges \Box other (iii) Chemical Characteristics: Characterize Tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc): Explain: 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 findings:** ☐ Fish/Spawn Areas **Explain findings:** ☐ Other environmentally -sensitive species **Explain findings:** ☐ Aquatic/Wildlife diversity Explain: 2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW (i) Physical Characteristics: (a) General Wetland Characteristics **Properties:** Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: (b) General Flow Relationship with Non-TNW: Wetland Flow is: Explain: Surface Flow is: Characteristics: Subsurface Flow: **Explain Findings:** (c) Wetland Adjacency Determination with Non-TNW: ☐ Wetland Directly Abutting Non-TNW □ Wetland Not Directly Abutting Non-TNW ☐ Discrete wetland hydrologic connection Explain: Ecological connection Explain: ☐ Separated by berm/barrier Explain: (d) Proximity (Relationship) to TNW Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Feature ID: Black Wash

Flow is From:				
Estimate approxima	te Location of Wetland wi	:hin Floodplain:		
(ii) Chemical Characteristics:				
Characterize wetland syste characteristics: ect.). Explain Identify specific pollutants		r, brown, oil filı	m on surface; w	ater quality; general watershed
(iii) Biological Characteristics.	Wetland supports (check	all that apply):		
Riparian Buffer Ch	aracteristics (type, averag	e width):		
Vegetation type/peHabitat for:	rcent cover. Explain:			
☐ Federally Listed Spe	ecies Explain:			
☐ Fish/Spawn Areas	Explain:			
Other environment	ally-sensitive species	Explain:		
☐ Aquatic/Wildlife Di	versity Explain:			
3. Characteristics of all wetland	s adjacent to the tributary	(if any)		
All wetland(s) being conside	ered in cumulative analysis	:		
Wetland acres in total bein	g considered in cumulative	analysis:		

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: Black Wash

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant

compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act. 2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus belwo, based on the tributary in combination with all of its adiacent welands. then go to SectionIII.D: 3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY) 1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area: ☐ TNWs Linear Feet: Width (ft): **TNW Acres** ☐ Wetlands adjacent to TNWs: Acres: 2. RPWs that flow directly or indirectly into TNWs Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale indicating that tributary is perennial: \sqcup Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: Provide estimates for jurisdictional waters in the review are (check all that apply): ☐ Tributary waters 11742.86 Linear Feet: 1.77 Width (Ft). ☐ Other non-wetland waters: Acres: 1.53 3. Non-RPWs that flow directly or indirectly into TNWs. Materbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has significant nexus with a TNW is jurisdictional. Data supporting this conclusion provided at section III.c. Provide estimates of jurisdictional waters within the review area (check all that apply): Length (Linear Feet): Width (feet): Acres: 4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs. ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands. Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting and RPW: ☐ Wetlands directly abutting an RPW where tributaries typically flow "Seasonally". Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2 above. Provide rationale indicating that wetland is directly abutting and RPW

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Provide acreage estimates for jurisdictional wetland in the review area:

Feature ID: Black Wash

adjacent and with sim	directly abut an RPW, but when cons ilarly situated adjacent wetlands, hav sion is provided at Section III.C.		
Provide acreage estimate	s for jurisdictional wetland in the revi	ew area: Acres:	
6. Wetlands adjacent to non	-RPWs that flow directly or indirectly	into TNWs.	
	h waters, and have when considered d adjacent wetlands, have a significar Section III.C		
Provide estimates for juri	sdictional wetland in the review area	(in acres):	
7. Impoundments of jurisdiction	nal waters.		
Demonstration of Jurisdiction	on:		
Supporting rationale: Length (linear feet): F. NON-JURISDICTIONAL WATE	•		
Non-Jurisdictional Waters:	Waters do not meet the "Significan required for jurisdiction.	t Nexus" standard, where sucr	i a finding is
Explain finding of no Significar	nt Nexus:		
MBR factors (i.e., presence of m professional judgment (check a Non wetland-Waters (i.e., r	ivers, streams): linear feet :		
☐ Other Non-wetland Waters☐ Wetlands MBR acres:	s MBR acres:		
	on-jurisdictional waters in the review d for jurisdiction (check all that apply)		gnificant Nexus" standard,
Non-wetland waters☐ Other waters	linear feet (ft), acres	width (ft)	

acres

☐ Wetlands

Feature ID: Black Wash

SECTION IV: DATA SOURCES

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below): ✓ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc. ✓ Data Sheets Prepared/Submitted by or on behalf of Applicant/Consultant Office Concurs with data sheets/delineation report ☐ Office Does Not Concur with data sheets/delineation report ☐ Data Sheets Prepared by the Corps ☐ Corps Navigable Water Study ☐ US Geological Survey Hydrologic Atlas ☐ USGS NHD Data USGS 8 and 12 digit HUC Maps ✓ US Geological Survey Map(s) Scale and Quad Name: San Xavier Mission and Cat Mountain 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/FIRM Maps: ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929) ✓ Aerial Photographs (Name and Date): ESRI Online Microsoft 2010 ✓ Other Photographs (Name and Date): Ground Photos; June through July 2013 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:

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

Center coordinates of site: Lat. 32.126°N Long111.076°W Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flow Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are availage.	ending C Dws:	=	Tucson	
ROJECT LOCATION AND BACKGROUND INFORMATION: Drainage Feature State: AZ County/Parish/borough: Pima County Center coordinates of site: Lat. 32.126°N Long111.076°W Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flowing Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are availage.	cows:	equest	Tucson	
Center coordinates of site: Lat. 32.126°N Long111.076°W Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flow Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are availage.	ows:	equest	Tucson	
Center coordinates of site: Lat. 32.126°N Long111.076°W Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flow Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are available.	ows: able upon re	equest	Tucson	
Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flooding Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are available.	able upon re	=		
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource floodila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are available.	able upon re	=		
Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are available.	able upon re	=		
Check if map/diagram of review are and/or potential jurisdictional areas is/are availages	-	=		
	-	=		
	-	=		
ullet Check if other sites (e.g, offsite mitigation sites, disposal sites, etc) are associated w		on and a	re recorded on	ı a
different JD form.				
EVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY)				
Office (Desk) Determination. Date:				
Field Determination. Date(s): 07/2013				
FION II: SUMMARY OF FINDINGS				
RHA SECTION 10 DETERMINATION OF JURISDICTION				
ere Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisc	diction (as d	efined hy	/ 33 CFR nart 3	29 in
the review area.	aiction (as a	cilica by	7 33 Crit part 3	23 111
\square Waters subject to the ebb and flow of the tide.				
\square Waters are presently used, or have been used in the past, or may be susceptible for	use to trans	sport inte	erstate or forei	gn comr
CWA SECTION 404 DETERMINATION OF JURISDICTION				
ere Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as define	ed by 33 CFF	R part 32	8) in the reviev	V
area	ca by 35 cm	(puit 32	o, in the reviev	•
1. Waters of the U.S.				
a. Indicate presence of water of U.S. in review area (Check all the apply):TNWs (new)				
☐ TNWS (flew) ☐ Wetlands adjacent to TNWs				
Relatively permanent waters (RPWs) that flow directly or indirectly into TNV	Ns			
☐ Non-RPWs that flow directly or indirectly into TNWs				
		TNI\A/c		
☐ Wetlands adjacent to but not directly abutting KPWs that now directly of in	directly into) IINVVS		
Impoundments of jurisdictional waters				
\square Isolated (interstate or intrastate) waters, including isolated wetlands				
b. Identify (estimate) size of waters of the U.S. in the review area				
Non-Wetlands waters Linear Feet Width (f	ft) and/or		Acres	
Wetlands Acres:				
c. Limits (boundaries) of Jurisdiction based on:				
2. Non-Regulated Waters/Wetlands (check if applicable):				

Explain: 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.

Feature ID:	С
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW Identify TNW:		Vegetation
	Summarize rationale s	upporting determination:	
2.	Wetland adjacent to	TN	

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

Watershed Size (sq mi): 49650 Drainage Area (sq mi): 0.00298 Average Annual Rainfall (in): 10.47

(ii) Physical Characteristics:

Average Annual Snowfall (in):

(i) General Area Conditions:

(a) Relationship with TNV	<u>v</u>		
☐ Tributary flows (☐ Tributary flows t	•	7	tributaries before entering TNW
Project waters are	30 (or i	more)	river miles from TNW

1.1

Feature ID: C

Project waters a	re	river Miles from tributary to RPW:
Project waters a	re 30 (or more)	aerial (straight) miles from tributary to TNW:
Project waters a	re	aerial (straight) miles from tributary to RPW:
Project waters c	ross or serve as state	e boundaries. Explain:
Identify flow rou	to Los R	re feature C flows to Black Wash, Black Wash flows to Brawley Wash, sobles Wash, to Greene Canal, to Greene Wash, to Santa Rosa Wash, a Cruz Wash, and then to the Gila River.
(b) General Tributary	<u>Characteristics</u>	
Tributary is: Natu	ıral Explai	n:
Tributary properti Average Widt Average Dept	h (ft): 1.58	pp of bank (estimate):
Average Side	Slopes: 3:1	
Primary tributar	y substrate composi	tion (check all that apply):
✓ Silts ☐ Cobbles ☐ Bedrock	☐ Sands ☐ C ✓ Gravel ☐ Substrate - Vege	Concrete
Tributary Condi	tion/Stability [e.g., h	ighly eroding, sloughing banks. Explain: Stable
Presence of Rur	n/Riffle/Pool Comple	xes. Explain: Not Present
Tributary Geom		
Tributary Gradio	ent (approximate av	erage slope): 1%
(c) Flow:		
•	phemeral Flow	
Estimate average number of Describe Flow Regim		w area/year: 2-5
Other Information on Durat	•	
	iscrete and Confined	
Subsurface Flow: N	0	Explain:
\square Dye (or other) test pe	erformed:	
Tributary Has (Check all tha	t apply):	
Bed and BanksOHWM (check all the a	pplv): OHWM Indica	ators:
☐ Clear, natural line in ✓ Changes in soil chars ☐ Shelving ☐ Vegetation matted of ☐ Leaf litter disturbed ✓ Sediment deposition ☐ Water staining Other (list):	npressed on the ban acter down, bent or absen or washed away	k ✓ Presence of litter and debris ☐ Destruction of terrestrial vegetation ☐ Presence of wrack line
Discontinuous? Expla	4111.	

Feature ID: C

If factors other than the OHWN were used to dete	ermine lateral extent of CWA jurisdiction (Check all that apply)
High tide line indicated by:	☐ Mean High water Mark indicated by:
☐ oil or scum line along shore objects	\square survey to available datum
\Box fine shell or debris deposits (foreshore	e)
\square physical markings/characteristics	vegetation lines/changes in vegetation types
\square tidal gauges	
\square other	
iii) Chemical Characteristics:	
Characterize Tributary (e.g., water color is clear, disc	colored, oily film; water quality; general watershed characteristics, e
Explain:	colored, only min, water quanty, general materialied characteristics, e
Identify Specific Pollutants, if known:	
iv) Biological Characteristics. Channel supports (check a Riparian Corridor Characteristics:	all that apply):
Habitat for:	
Federally Listed Species Explain findings:	
☐ Fish/Spawn Areas Explain findings:	
Other environmentally -sensitive speciesAquatic/Wildlife diversity Explain:	Explain findings:
(a) General Wetland Characteristics Properties: Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain:	
Project Wetlands Cross or Serve as State Boundar	ries, Explain:
(b) General Flow Relationship with Non-TNW:	
Wetland Flow is: Exp	plain:
Surface Flow is:	
Characteristics:	
	n Findings:
,	
(c) Wetland Adjacency Determination with Non-TNV	<u>N:</u>
☐ Wetland Directly Abutting Non-TNW	
☐ Wetland Not Directly Abutting Non-TNW	E le tra
☐ Discrete wetland hydrologic connection	Explain:
☐ Ecological connection Explain:	
Separated by berm/barrier Explain:	
(d) Proximity (Relationship) to TNW	
Project Wetlands: River Miles from TNW:	
Troject wedianas. River wines from Tivo.	

2.

Project Wetlands: Aerial Miles from TNW:

Feature ID: C

Flow is From:	
Estimate approximate Location of Wetland v	within Floodplain:
(ii) Chemical Characteristics:	
Characterize wetland system (e.g., water color is cl characteristics: ect.).	ear, brown, oil film on surface; water quality; general watershed
Explain	
Identify specific pollutants, if know:	
(iii) Biological Characteristics. Wetland supports (chec	ck all that apply):
☐ Riparian Buffer Characteristics (type, avera	age width):
☐ 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 tributa	ary (if any)
All wetland(s) being considered in cumulative analy	sis:
Wetland acres in total being considered in cumulati	ve analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: C

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act.

TNW. Explain findings of present of its adiacent welands, then go	nce or absence	e of significant			PW flows directly or i tributary in combina	-
3. Significant nexus findings for presence or absence of signification go to Section III.D:	wetlands adj	acent to an RP\				
ETERMINATIONS OF JURISDIC					•	LL THAT AP
1. TNWs and Adjacent Wetlands	S. Check all t	hat apply and p	provide size	estimates in rev	iew area:	
☐ TNWs Linear Feet:		Width (ft):	TNW Acres		
☐ Wetlands adjacent to TNWs	s: Acres:					
2. RPWs that flow directly or in	directly into T	NWs				
Tributaries of TNWs where that tributary is perennial:	tributaries ty	oically flow year	r-round are	jurisdictional. P	rovide data and Ratio	onale indica
☐ Tributaries of TNW where jurisdictional. Data support flows seasonally:					= -	
Provide estimates for ju	risdictional wa	aters in the revi	ew are (che	ck all that apply	·):	
\square Tributary waters	1073.07	Linear Feet:	1.58	Width (Ft).		
	waters: Ad	cres: 0.13				
Other non-wetland		nto TNIMs				
	or indirectly i					
	W or an RPW,	but flows direc				t nexus
3. Non-RPWs that flow directlyWaterbody that is not a TN	W or an RPW, . Data support	but flows directing this conclus	sion provide	d at section III.c	·	t nexus
3. Non-RPWs that flow directly Waterbody that is not a TN with a TNW is jurisdictional	W or an RPW, . Data support onal waters w	but flows directing this conclus	sion provide	d at section III.c	·	t nexus
3. Non-RPWs that flow directly Waterbody that is not a TN with a TNW is jurisdictional Provide estimates of jurisdiction	W or an RPW, . Data support onal waters w	but flows directing this conclustithin the review Width (feet):	sion provide v area (chec	d at section III.c c all that apply) Acres:	·	t nexus
3. Non-RPWs that flow directly Waterbody that is not a TN with a TNW is jurisdictional Provide estimates of jurisdicti Length (Linear Feet):	W or an RPW, Data support onal waters w	but flows directing this conclusion the review Width (feet):	sion provide v area (checo	d at section III.c all that apply) Acres: o TNWs.	·	t nexus
 3. Non-RPWs that flow directly Waterbody that is not a TN with a TNW is jurisdictional Provide estimates of jurisdicti Length (Linear Feet): 4. Wetlands directly abutting and 	W or an RPW, Data support onal waters w RPW that flo W and thus are ting an RPW w	but flows directing this conclustithin the review Width (feet): by directly or in the purishing directly are interested to the purishing directly are interested to the purishing directly are the purishing directly are interested to the puris	sion provide v area (checondirectly interests adjacent vistaments)	d at section III.c c all that apply)	: : Provide data and rat	ionale

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: C

	nilarly situated ad	jacent wetlands, have		ith the tributary to which they are n a TNW are jurisidictional. Data
Provide acreage estimate	es for jurisdictiona	l wetland in the revie	w area: Acres:	
6. Wetlands adjacent to non	-RPWs that flow	directly or indirectly i	nto TNWs.	
	d adjacent wetlar			tributary to which they are adjacent jurisdictional. Data supporting this
Provide estimates for juri	sdictional wetlan	d in the review area (i	n acres):	
7. Impoundments of jurisdiction	onal waters.			
Demonstration of Jurisdicti	on:			
Supporting rationale: Length (linear feet): F. NON-JURISDICTIONAL WATE Non-Jurisdictional Waters:		WETLANDS:	Nexus" standard, wher	e such a finding is
Non-Jungaictional Waters.	required for jui	_	vexus standard, when	e such a finding is
Explain finding of no Significa	nt Nexus:			
	nigratory birds, pi			tential basis of jurisdiction is the for irrigated agriculture), using best
\square Non wetland-Waters (i.e.,	rivers, streams):	linear feet :	width (ft):	
Other Non-wetland Waters	s MBR ac	res:		
☐ Wetlands MBR acres:				
Provide acreage estimates for r where such a finding is require	-		rea that do not meet t	he "Significant Nexus" standard,
☐ Non-wetland waters		linear feet (ft),	width (ft)	
Other waters		acres		

acres

☐ Wetlands

Feature ID: C

SECTION IV: DATA SOURCES

Additional Comments to Support JD:

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below): ✓ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc. ✓ Data Sheets Prepared/Submitted by or on behalf of Applicant/Consultant Office Concurs with data sheets/delineation report ☐ Office Does Not Concur with data sheets/delineation report ☐ Data Sheets Prepared by the Corps ☐ Corps Navigable Water Study ☐ US Geological Survey Hydrologic Atlas ☐ USGS NHD Data USGS 8 and 12 digit HUC Maps ✓ US Geological Survey Map(s) Scale and Quad Name: San Xavier Mission and Cat Mountain 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/FIRM Maps: ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929) ✓ Aerial Photographs (Name and Date): ESRI Online Microsoft 2010 ✓ Other Photographs (Name and Date): Ground Photos; June through July 2013 Previous Determinations File No. and Date of Response Letter: ☐ Applicable/Supporting Case Law Citation: ☐ Applicable/Supporting Scientific Literature Citation: Other Information, Please Specify:

Feature ID:	D

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I:	: BACKGROL	JND INFOR	RMATION .						
A. REPORT	COMPLETI	ON DATE F	OR APPROVED	JURISDI	CTION	AL DETERMI	NATION (JD)	
B. DISTRIC	T OFFICE, FI	LE NAME,	AND NUMBER	Los A	ngeles	District, File	No. Pendin	g	
C. PROJEC	T LOCATION	AND BAC	KGROUND INFO	RMATIO	ON: D	rainage Feat	ure D		
State:	AZ	County/Pa	arish/borough:	Pima	County			City:	Tucson
Center o	coordinates o	f site: Lat.	32.126°N		Long.	-111.076°W			
Name o	f nearest wat	erbody:	Black Wash						
	f nearest Trac ila River	ditional Nav	igable Water (TN\	N) into w	hich th	e aquatic reso	urce flows:		
Name o	f watershed o	or Hydrologi	c Unit Code (HUC):	15050	0304			
\square Chec			ew are and/or pot e mitigation sites,	=				-	l are recorded on a
D. REVIEW	/ PERFORMI	D FOR SIT	E EVALUATION	(CHECK	ALL TH	IAT APPLY)			
	ce (Desk) Det								
	d Determinati	·							
	I: SUMMAR'		<u>NGS</u> ATION OF JURIS	DICTION	NI.				
There Are	_	able waters view area.	of the U.S." withi	n Rivers	and Ha	rbors Act(RHA	A) jurisdictior	n (as defined	by 33 CFR part 329 in
\square Wat			d flow of the tide.						
\square Wat	ers are prese	ntly used, o	have been used	in the pa	st, or m	nay be suscept	ible for use t	o transport ir	nterstate or foreign com
B. CWA S	SECTION 404	DETERMI	NATION OF JUR	ISDICTIO	ON				
There	Are No "wate	ers of the U.	S." within Clean V	Vater Act	(CWA)	jurisdiction (a	s defined by	33 CFR part 3	328) in the review
1. W	area /aters of the	U.S.							
			ater of U.S. in rev	iew area	(Check	all the apply)	:		
	☐ TNWs (ne	ew)			•				
		adjacent to) TNWs : waters (RPWs) th	nat flow (directly	or indirectly in	nto TNWs		
			directly or indirec			,			
		-	utting RPWs that		-	-		_	
		-	but not directly a	_			•	tly into TNWs	5
		-	non-RPWs that fisdictional waters		tly or II	nairectly into i	INVVS		
		-	r intrastate) wate		ing isol	ated wetlands			
b	. Identify (es	timate) size	of waters of the	U.S. in th	ne revie	w area			
	Non-Wetla	nds waters	Li	inear Fee	et	V	Vidth (ft) and	d/or	Acres
	Wetlands A	cres:							
,	c Limits (hou	ndaries) of	Jurisdiction based	d on:					
	•	•							
2. N	on-kegulated	waters/W	etlands (check if	applicabl	ie):				

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined not to be jurisdictional:

Explain: 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.

Feature ID:	D
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		☐ Vegetation
	Summarize rationale s	upporting determination:	
2.	Wetland adjacent to	TN	

•

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00369

Average Annual Rainfall (in): 10.47

Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(a) Relationship with TNW

☐ Tributary flows d ☐ Tributary flows t	•	tributaries before entering TNW
Project waters are	30 (or more)	river miles from TNW

Feature ID: D

Project water	rs are		river Miles fro	om tributary t	o RPW:	
Project water	rs are 30 (c	or more)	aerial (straigh	t) miles from	tributary to TN	W:
Project water	rs are		aerial (straigh	t) miles from	tributary to RP	W:
Project water	rs cross or serv	e as state b	oundaries. E	xplain:		
Identify flow	route to TNW	to Los Rob		Greene Canal,	to Greene Wa	flows to Brawley Wash, sh, to Santa Rosa Wash,
(b) General Tributa	ry Characteri	stics				
Tributary is:		Explain:				
Tributary prop Average V Average D Average S	/idth (ft):	1.06 1 3:1	of bank (estim	nate):		
Primary tribu	tary substrate	compositio	n (check all th	at apply):		
✓ Silts ☐ Cobble ☐ Bedro	. Ulavei	☐ Cor	ion Other,	☐ Muck Explain:		
Tributary Co	ndition/Stabil	ity [e.g., high	nly eroding, sl	oughing bank	s. Explain:	Stable
Presence of	Run/Riffle/Poo	ol Complexe	s. Explain:	Not Pre	sent	
Tributary Ge	ometry:	Relatively S	traight			
Tributary Gr	adient (approx	kimate avera	ige slope):	1%		
(c) Flow:						
Tributary Provides for:	Ephemeral F	low				
Estimate average numbe Describe Flow Re		ts in review a emeral	area/year:	2-5		
Other Information on Do	uration and Vo	olume:				
Surface Flow is:	Discrete and	l Confined	Characterist	ics:		
Subsurface Flow:	No		Explain:			
\sqcup Dye (or other) tes	t performed:					
Tributary Has (Check all	that annly):					
✓ Bed and Banks	τιατ αρριγή.					
✓ OHWM (check all th	e apply): OHV	VM Indicato	rs:			
☐ Clear, natural lin ✓ Changes in soil cl ☐ Shelving ☐ Vegetation matte ☐ Leaf litter disturb ✓ Sediment deposi ☐ Water staining Other (list):	naracter ed down, bent oed or washed	or absent		Destruction o Presence of w Sediment sort Scour Multiple obse	ting	ed flow events
	xplain:					

Feature ID: D

If factors other than the OHWN were used to determine lateral extent of CWA jurisdiction (Check all that apply) High tide line indicated by: ☐ Mean High water Mark indicated by: oil or scum line along shore objects □ survey to available datum fine shell or debris deposits (foreshore) physical markings physical markings/characteristics vegetation lines/changes in vegetation types ☐ tidal gauges \Box other (iii) Chemical Characteristics: Characterize Tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc): Explain: 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 findings:** ☐ Fish/Spawn Areas **Explain findings:** ☐ Other environmentally -sensitive species Explain findings: Aquatic/Wildlife diversity Explain: 2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW (i) Physical Characteristics: (a) General Wetland Characteristics **Properties:** Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: (b) General Flow Relationship with Non-TNW: Wetland Flow is: Explain: Surface Flow is: Characteristics: Subsurface Flow: **Explain Findings:** (c) Wetland Adjacency Determination with Non-TNW: ☐ Wetland Directly Abutting Non-TNW □ Wetland Not Directly Abutting Non-TNW ☐ Discrete wetland hydrologic connection Explain: Ecological connection Explain: ☐ Separated by berm/barrier Explain: (d) Proximity (Relationship) to TNW Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Feature ID: D

Flow is From:
Estimate approximate Location of Wetland within Floodplain:
(ii) Chemical Characteristics:
Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics: ect.). Explain Identify specific pollutants, if know:
(iii) Biological Characteristics. Wetland supports (check all that apply):
Riparian Buffer Characteristics (type, average width):
☐ 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 tributary (if any)
All wetland(s) being considered in cumulative analysis:
Wetland acres in total being considered in cumulative analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: D

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act.

TNW. Explain findings of presen of its adiacent welands. then go	ce or absen	ice of si	-				ws directly or indire ary in combination	-
3. Significant nexus findings for presence or absence of significant then go to Section III.D:	wetlands a	djacent						
TERMINATIONS OF JURISDICT							-	IAT AP
1. TNWs and Adjacent Wetlands.	Check al	l that ap	oply and pr	ovide size	estimates in	review ar	ea:	
☐ TNWs Linear Feet:			Width (ft):		TNW Acre	S		
\square Wetlands adjacent to TNWs:	Acres:							
2. RPWs that flow directly or ind	irectly into	TNWs						
☐ Tributaries of TNWs where that tributary is perennial:	ributaries t	typically	flow year-	round are	jurisdictiona	ıl. Provide	data and Rationale	indica
 Tributaries of TNW where to jurisdictional. Data supporti flows seasonally: 							•	
Provide estimates for jur	isdictional	waters i	n the revie	w are (che	ck all that a	pply):		
☐ Tributary waters	707.5	9 Linea	ar Feet:	1.06	Width (Ft).			
	/aters:	Acres:	0.06					
\square Other non-wetland w								
	ır indirectly	, into Ti	VIV/s					
	V or an RPV	V, but fl	ows directl				t has significant nex	us
3. Non-RPWs that flow directly of the second secon	V or an RPV Data suppo	V, but fl orting th	ows directl iis conclusio	on provide	ed at section	III.c.	t has significant nex	us
 Non-RPWs that flow directly of the work o	V or an RPV Data suppo	V, but fl orting th within t	ows directl iis conclusio	on provide	ed at section	III.c. oly):	t has significant nex	us
 Non-RPWs that flow directly of Waterbody that is not a TNV with a TNW is jurisdictional. Provide estimates of jurisdiction 	V or an RPV Data suppo onal waters	V, but florting the within t	ows directlais conclusion che review of the review of the feet):	on provide area (chec	ed at section k all that ap Acres:	III.c. oly):	t has significant nex	us
 3. Non-RPWs that flow directly of Waterbody that is not a TNV with a TNW is jurisdictional. Provide estimates of jurisdiction Length (Linear Feet): 4. Wetlands directly abutting an 	V or an RPV Data suppo onal waters RPW that f	V, but florting the within the Width	ows directlais conclusion the review of the feet): ectly or income.	on provide area (chec	ed at section k all that app Acres:	III.c. oly):	t has significant nex	us
3. Non-RPWs that flow directly on Waterbody that is not a TNV with a TNW is jurisdictional. Provide estimates of jurisdiction Length (Linear Feet):	V or an RPV Data suppo onal waters RPW that for and thus a	V, but florting the within the Width flow directions where the winder of	ows directlatis conclusion the review of the feet): ectly or inconclusion dictional as tributaries	on provide area (chec directly in adjacent typically fl	Acres: co TNWs. wetlands. ow year-rou	III.c. oly): nd. Provid	e data and rational	e

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: D

adjacent and with sin		ered in combination with the tributary to which they are a significant nexus with a TNW are jurisidictional. Data
	es for jurisdictional wetland in the review	varea: Acres:
_	- n-RPWs that flow directly or indirectly in	
☐ Wetlands adjacent to suc	ch waters, and have when considered in dadjacent wetlands, have a significant i	combination with the tributary to which they are adjacent nexus with a TNW are jurisdictional. Data supporting this
Provide estimates for jur	isdictional wetland in the review area (ir	acres):
7. Impoundments of jurisdiction	onal waters.	
Demonstration of Jurisdicti		
Supporting rationale: Length (linear feet): F. NON-JURISDICTIONAL WATE Non-Jurisdictional Waters:	•	lexus" standard, where such a finding is
	required for jurisdiction.	
Explain finding of no Significa	nt Nexus:	
	nigratory birds, presence of endangered	rea, where the sole potential basis of jurisdiction is the species, use of water for irrigated agriculture), using best
\square Non wetland-Waters (i.e.,	rivers, streams): linear feet :	width (ft):
Other Non-wetland WaterWetlands MBR acres:	s MBR acres:	
	non-jurisdictional waters in the review a d for jurisdiction (check all that apply):	rea that do not meet the "Significant Nexus" standard,
☐ Non-wetland waters	linear feet (ft),	width (ft)

acres

☐ Wetlands

Feature ID: D

SECTION IV: DATA SOURCES

Additional Comments to Support JD:

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below): ✓ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc. ✓ Data Sheets Prepared/Submitted by or on behalf of Applicant/Consultant Office Concurs with data sheets/delineation report ☐ Office Does Not Concur with data sheets/delineation report ☐ Data Sheets Prepared by the Corps ☐ Corps Navigable Water Study ☐ US Geological Survey Hydrologic Atlas ☐ USGS NHD Data USGS 8 and 12 digit HUC Maps ✓ US Geological Survey Map(s) Scale and Quad Name: San Xavier Mission and Cat Mountain 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/FIRM Maps: ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929) ✓ Aerial Photographs (Name and Date): ESRI Online Microsoft 2010 ✓ Other Photographs (Name and Date): Ground Photos; June through July 2013 Previous Determinations File No. and Date of Response Letter: ☐ Applicable/Supporting Case Law Citation: ☐ Applicable/Supporting Scientific Literature Citation: Other Information, Please Specify:

Feature ID:	E

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I:	BACKGROL	JND INFOR	<u>RMATION</u>							
A. REPORT	COMPLETION	ON DATE F	OR APPROVED	JURISDI	CTION	AL DETERMI	IL) NOITAN	D)		
B. DISTRIC	T OFFICE, FI	LE NAME,	AND NUMBER	Los A	ngeles	District, File	No. Pendir	ng		
C. PROJEC	T LOCATION	AND BAC	KGROUND INFO	DRMATI	ON: D	rainage Feat	ure E			
State:	AZ	County/Pa	arish/borough:	Pima	County			City:	Tucson	
Center o	coordinates o	f site: Lat.	32.126°N		Long.	-111.076°W				
Name o	f nearest wat	erbody:	Black Wash							
	f nearest Trac la River	ditional Nav	igable Water (TN	W) into w	hich th	e aquatic reso	urce flows:			
Name o	f watershed o	or Hydrologi	c Unit Code (HUC	:):	15050	0304				
\square Checl			ew are and/or pot e mitigation sites,	=				-	d are recorded on a	
D. REVIEW	PERFORME	D FOR SIT	E EVALUATION	(CHECK	ALL TH	IAT APPLY)				
	ce (Desk) Dete									
	d Determinati	·								
	<u>l: SUMMAR`</u> FCTION 10 F		<u>NGS</u> ATION OF JURIS	יטוכדוטו	N					
						l A -t. /DIII/	 	/l-£:l	l h 22 CED 220 i	
There Are	_	abie waters view area.	of the U.S." with	in Rivers	and Hai	rbors Act (KHA	A) jurisaictio	on (as defined	l by 33 CFR part 329 in	
\square Wate			d flow of the tide							
☐ Wat	ers are presei	ntly used, o	have been used	in the pa	st, or m	nay be suscept	ible for use	to transport i	nterstate or foreign co	mmer
B. CWA S	ECTION 404	DETERMI	NATION OF JUR	RISDICTIO	ON					
There	Are No "wate	ers of the U.	S." within Clean V	Vater Act	(CWA)	jurisdiction (a	s defined by	33 CFR part	328) in the review	
1. W	area aters of the	U.S.								
			ater of U.S. in rev	iew area	(Check	all the apply)	:			
	☐ TNWs (ne	ew)								
		adjacent to) TNWs t waters (RPWs) t	hat flow (directly	or indirectly in	nto TNWs			
	☐ Non-RPW	s that flow	directly or indired	tly into T	NWs					
		-	utting RPWs tha		-	-				
		-	but not directly non-RPWs that f	_			-	ctly into TNW:	S	
		-	risdictional waters		Liy Oi ii	numectly into i	14473			
		-	r intrastate) wate		ling isol	ated wetlands				
b	. Identify (es	timate) size	of waters of the	U.S. in th	ne revie	w area				
	Non-Wetlar	nds waters	L	inear Fee	et	V	Vidth (ft) an	d/or	Acres	
	Wetlands A	cres:								
,	Limits (hou	ndaries) of	Jurisdiction base	d on:						
	•	•			1-1					
2. N	on-kegulated	waters/W	etlands (check if	аррисав	ie):					

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined not to be jurisdictional:

Explain: 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.

Feature ID:	E
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW Identify TNW:		Vegetation
	Summarize rationale s	upporting determination:	
2.	Wetland adjacent to	TN	

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

Watershed Size (sq mi): 49650 Drainage Area (sq mi): 0.00309 Average Annual Rainfall (in): 10.47 Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(i) General Area Conditions:

(a) Relationship with TNV	<u>V</u>		
\Box Tributary flows $\mathfrak c$	directly to	o TNW	
Tributary flows t	hrough	7	tributaries before entering TNW
Project waters are	30 (or i	more)	river miles from TNW

Feature ID: E

Project wate	rs are		river Miles f	rom trib	utary to R	PW:	
Project wate	r more)	aerial (straig	ght) mile	s from trik	outary to TN	W:	
Project wate	rs are		aerial (straig	ght) mile	s from trib	outary to RP	W:
Project wate	rs cross or serv	e as state b	oundaries.	Explain			
Identify flow	route to TNW	to Los Rob		Greene	Canal, to	Greene Was	flows to Brawley Wash, sh, to Santa Rosa Wash,
(b) General Tributa	ary Characteris	stics_					
Tributary is:	latural	Explain:					
Primary tribu Silts Cobble Bedro	vidth (ft): lepth (ft): lide Slopes: litary substrate Sands Sign Gravel	2.92 1 3:1 compositio	n (check all t ncrete nion Othe	that app	Muck n:	xplain:	Stable
•	Run/Riffle/Poo		-	_	lot Preser	•	rabic
Tributary Ge		Relatively S	•	1	iot Freser		
•	adient (approx	•		19	%		
Tributary Gr	adient (approx	dillate avera	ige slope).	1.			
(a) Ela							
(c) Flow: Tributary Provides for:	Ephemeral F	'low					
Estimate average numbe	r of flow event	ts in review	area/year:		2-5		
Describe Flow Re	'	meral					
Other Information on D	uration and Vo	olume:					
Surface Flow is:	Discrete and	Confined	Characteri	stics:			
Subsurface Flow:	No		Explain:				
\Box Dye (or other) tes	t performed:						
T '							
Tributary Has (Check all	tnat apply):						
Bed and BanksOHWM (check all the	ne apply): OHV	VM Indicato	rs:				
☐ Clear, natural lin ☑ Changes in soil c ☐ Shelving ☐ Vegetation matt ☐ Leaf litter disturl ☑ Sediment deposi ☐ Water staining Other (list):	haracter ed down, bent oed or washed	or absent		Destru Presen Sedime Scour Multip	ction of te ce of wrac ent sorting e observe	Z.	ed flow events
☐ Discontinuous? E	xplain:						

Feature ID: E

If factors other than the OHWN were used to determine lateral extent of CWA jurisdiction (Check all that apply) High tide line indicated by: ☐ Mean High water Mark indicated by: oil or scum line along shore objects □ survey to available datum fine shell or debris deposits (foreshore) physical markings physical markings/characteristics vegetation lines/changes in vegetation types ☐ tidal gauges \Box other (iii) Chemical Characteristics: Characterize Tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc): Explain: 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 findings:** ☐ Fish/Spawn Areas **Explain findings:** ☐ Other environmentally -sensitive species Explain findings: Aquatic/Wildlife diversity Explain: 2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW (i) Physical Characteristics: (a) General Wetland Characteristics **Properties:** Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: (b) General Flow Relationship with Non-TNW: Wetland Flow is: Explain: Surface Flow is: Characteristics: Subsurface Flow: **Explain Findings:** (c) Wetland Adjacency Determination with Non-TNW: ☐ Wetland Directly Abutting Non-TNW □ Wetland Not Directly Abutting Non-TNW ☐ Discrete wetland hydrologic connection Explain: Ecological connection Explain: □ Separated by berm/barrier Explain: (d) Proximity (Relationship) to TNW Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Feature ID: E

Flow is From:
Estimate approximate Location of Wetland within Floodplain:
i) Chemical Characteristics:
Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics: ect.).
Explain
Identify specific pollutants, if know:
ii) Biological Characteristics. Wetland supports (check all that apply):
Riparian Buffer Characteristics (type, average width):
☐ Vegetation type/percent cover. Explain:
Habitat for:
Federally Listed Species Explain:
☐ Fish/Spawn Areas Explain:
Other environmentally-sensitive species Explain:
☐ Aquatic/Wildlife Diversity Explain:
Characteristics of all wetlands adjacent to the tributary (if any)
All wetland(s) being considered in cumulative analysis:
Wetland acres in total being considered in cumulative analysis:

C. SIGNIFICANT NEXUS DETERMINATION

3.

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: E

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act.

TNW. Explain findings of preser of its adiacent welands. then go	nce or abse o to Section	nce of si	gnificant n	exus belw	o, based on th	ne tributar	-
3. Significant nexus findings for presence or absence of significathen go to Section III.D:							
ETERMINATIONS OF JURISDIC					-		•
1. TNWs and Adjacent Wetlands	. Check a	ill that ar	pply and pr	ovide size	estimates in r	eview area	:
☐ TNWs Linear Feet:			Width (ft):		TNW Acres		
\square Wetlands adjacent to TNWs	: Acres:						
2. RPWs that flow directly or in	directly int	o TNWs					
 Tributaries of TNWs where that tributary is perennial: 	tributaries	typically	/ flow year-	round are	jurisdictional.	Provide da	ata and Rationale indica
 Tributaries of TNW where to jurisdictional. Data support flows seasonally: 						•	
			n the revie	w are (che	ck all that ann	Jv/\•	
Provide estimates for ju	risdictional	waters i	in the revie	w are terre	ck an that app	иу).	
Provide estimates for ju \Box Tributary waters		waters i			Width (Ft).	чу).	
_	304.					ту).	
☐ Tributary waters☐ Other non-wetland	304. waters:	87 Linea Acres:	or Feet:			чу).	
☐ Tributary waters	304. waters: or indirect W or an RP	Acres: ly into TI W, but fl	on Feet: 0.07 NWs. ows directle	2.92 y or indire	Width (Ft).	<i>N</i> , and it h	as significant nexus
☐ Tributary waters ☐ Other non-wetland 3. Non-RPWs that flow directly ☐ Waterbody that is not a TN	304. waters: or indirect W or an RP . Data supp	Acres: ly into TI W, but floorting the	on Feet: 0.07 NWs. lows directled is conclusion.	2.92 y or indire	Width (Ft). ectly into a TNeed at section II	<i>W,</i> and it h	as significant nexus
☐ Tributary waters ☐ Other non-wetland 3. Non-RPWs that flow directly ☐ Waterbody that is not a TN with a TNW is jurisdictional	304. waters: or indirect W or an RP . Data supp	Acres: ly into TI W, but fleorting the	on Feet: 0.07 NWs. lows directled is conclusion.	2.92 y or indire	Width (Ft). ectly into a TNeed at section II	<i>W,</i> and it h	as significant nexus
Tributary waters Other non-wetland of the control	304. waters: or indirect W or an RP . Data supp onal waters	Acres: ly into TI W, but fleorting the swithin to Width	on Feet: 0.07 NWs. lows directly a conclusion of the review on (feet):	2.92 y or indire on provide area (chec	Width (Ft). ectly into a TN ed at section II ck all that appl Acres:	<i>W,</i> and it h	as significant nexus
☐ Tributary waters ☐ Other non-wetland 3. Non-RPWs that flow directly ☐ Waterbody that is not a TN with a TNW is jurisdictional Provide estimates of jurisdicti Length (Linear Feet): 4. Wetlands directly abutting and	304. waters: or indirect W or an RP Data supp onal waters	Acres: Ny into TI W, but floorting the swithin to Width	on Feet: 0.07 NWs. lows directly or income the review of (feet):	y or indire on provide area (chec	Width (Ft). ectly into a TN ed at section II ck all that appl Acres:	<i>W,</i> and it h	as significant nexus
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5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: E

	nilarly situated ad	jacent wetlands, have		ith the tributary to which they are n a TNW are jurisidictional. Data
Provide acreage estimate			w area: Acres:	
6. Wetlands adjacent to non	-RPWs that flow	directly or indirectly i	nto TNWs.	
	d adjacent wetlar			tributary to which they are adjacent jurisdictional. Data supporting this
Provide estimates for juri	sdictional wetlan	d in the review area (i	n acres):	
7. Impoundments of jurisdiction	onal waters.			
Demonstration of Jurisdicti	on:			
Supporting rationale: Length (linear feet): F. NON-JURISDICTIONAL WATE Non-Jurisdictional Waters:		WETLANDS:	Nexus" standard, wher	e such a finding is
Non-Jungaictional Waters.	required for jur	_	vexus standard, when	e such a finding is
Explain finding of no Significa	nt Nexus:			
	nigratory birds, pr			tential basis of jurisdiction is the for irrigated agriculture), using best
\square Non wetland-Waters (i.e.,	rivers, streams):	linear feet :	width (ft):	
Other Non-wetland Waters	s MBR ac	res:		
☐ Wetlands MBR acres:				
Provide acreage estimates for r where such a finding is require	-		rea that do not meet t	he "Significant Nexus" standard,
☐ Non-wetland waters		linear feet (ft),	width (ft)	
Other waters		acres		

acres

☐ Wetlands

Feature ID: E

SECTION IV: DATA SOURCES

Additional Comments to Support JD:

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below): ✓ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc. ✓ Data Sheets Prepared/Submitted by or on behalf of Applicant/Consultant Office Concurs with data sheets/delineation report ☐ Office Does Not Concur with data sheets/delineation report ☐ Data Sheets Prepared by the Corps ☐ Corps Navigable Water Study ☐ US Geological Survey Hydrologic Atlas ☐ USGS NHD Data USGS 8 and 12 digit HUC Maps ✓ US Geological Survey Map(s) Scale and Quad Name: San Xavier Mission and Cat Mountain 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/FIRM Maps: ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929) ✓ Aerial Photographs (Name and Date): ESRI Online Microsoft 2010 ✓ Other Photographs (Name and Date): Ground Photos; June through July 2013 Previous Determinations File No. and Date of Response Letter: ☐ Applicable/Supporting Case Law Citation: ☐ Applicable/Supporting Scientific Literature Citation: Other Information, Please Specify:

Feature ID:	F

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

. REPORT COMPLETION DATE FOR APPROVED J	URISDICTION	AL DETERMINAT	ION (JD)		
. DISTRICT OFFICE, FILE NAME, AND NUMBER		District, File No.			
. PROJECT LOCATION AND BACKGROUND INFO			F		
State: AZ County/Parish/borough:	Pima County		•	City:	Tucson
	-			City.	Tucson
Center coordinates of site: Lat. 32.126°N	Long.	-111.076°W			
Name of nearest waterbody: Black Wash					
Name of nearest Traditional Navigable Water (TNW Gila River	/) into which th	e aquatic resource	flows:		
Name of watershed or Hydrologic Unit Code (HUC):	: 15050	0304			
✓ Check if map/diagram of review are and/or pote	ential iurisdictio	nal areas is/are ava	ailable upon	request	
☐ Check if other sites (e.g., offsite mitigation sites, of the control of the co	=			-	are recorded on a
different JD form.		,			
. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL TH	IAT APPLY)			
Office (Desk) Determination. Date:					
✓ Field Determination. Date(s): 07/2013					
ECTION II: SUMMARY OF FINDINGS					
A. RHA SECTION 10 DETERMINATION OF JURISI	DICTION				
There Are No "navigable waters of the U.S." within the review area.	n Rivers and Har	rbors Act (RHA) jui	risdiction (as	defined b	ly 33 CFR part 329 in
Waters subject to the ebb and flow of the tide.					
☐ Waters are presently used, or have been used in	n the past, or m	nav be susceptible f	or use to tra	ansport int	erstate or foreign comm
		,			
B. CWA SECTION 404 DETERMINATION OF JURI	SDICTION				
There Are No "waters of the U.S." within Clean W		jurisdiction (as def	ined by 33 (CFR part 32	28) in the review
		jurisdiction (as def	ined by 33 (CFR part 32	28) in the review
There Are No "waters of the U.S." within Clean W	ater Act (CWA)		ined by 33 (CFR part 32	28) in the review
There Are No "waters of the U.S." within Clean W area 1. Waters of the U.S. a. Indicate presence of water of U.S. in revie TNWs (new)	ater Act (CWA)		ined by 33 (CFR part 32	28) in the review
There Are No "waters of the U.S." within Clean W area 1. Waters of the U.S. a. Indicate presence of water of U.S. in revio	ater Act (CWA) ew area (Check	all the apply):	·	CFR part 32	28) in the review
There Are No "waters of the U.S." within Clean W area 1. Waters of the U.S. a. Indicate presence of water of U.S. in revie TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) the	ater Act (CWA) ew area (Check at flow directly	all the apply):	·	CFR part 32	28) in the review
There Are No "waters of the U.S." within Clean W area 1. Waters of the U.S. a. Indicate presence of water of U.S. in revio	ew area (Check at flow directly ly into TNWs	all the apply): or indirectly into T	NWs	CFR part 32	28) in the review
There Are No "waters of the U.S." within Clean W area 1. Waters of the U.S. a. Indicate presence of water of U.S. in revion TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) the Non-RPWs that flow directly or indirect Wetlands directly abutting RPWs that Wetlands adjacent to but not directly all	ew area (Check at flow directly ly into TNWs flow directly or butting RPWs tl	or indirectly into T indirectly into TNN hat flow directly or	NWs Vs indirectly in		28) in the review
There Are No "waters of the U.S." within Clean W area 1. Waters of the U.S. a. Indicate presence of water of U.S. in revio TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) the Non-RPWs that flow directly or indirect Wetlands directly abutting RPWs that Wetlands adjacent to but not directly al Wetlands adjacent to non-RPWs that flow	ew area (Check at flow directly ly into TNWs flow directly or butting RPWs tl	or indirectly into T indirectly into TNN hat flow directly or	NWs Vs indirectly in		28) in the review
There Are No "waters of the U.S." within Clean W area 1. Waters of the U.S. a. Indicate presence of water of U.S. in revie TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) the Non-RPWs that flow directly or indirect Wetlands directly abutting RPWs that Wetlands adjacent to but not directly a Wetlands adjacent to non-RPWs that flow directly all mpoundments of jurisdictional waters	ew area (Check at flow directly ly into TNWs flow directly or butting RPWs tl ow directly or in	or indirectly into T indirectly into TNN hat flow directly or ndirectly into TNW	NWs Vs indirectly in		28) in the review
There Are No "waters of the U.S." within Clean Warea 1. Waters of the U.S. a. Indicate presence of water of U.S. in revious TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) the Non-RPWs that flow directly or indirect Wetlands directly abutting RPWs that Wetlands adjacent to but not directly all Wetlands adjacent to non-RPWs that flow Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters	ew area (Check at flow directly ly into TNWs flow directly or butting RPWs tl ow directly or ir s, including isola	or indirectly into T indirectly into TNN hat flow directly or ndirectly into TNW:	NWs Vs indirectly in		28) in the review
There Are No "waters of the U.S." within Clean Warea 1. Waters of the U.S. a. Indicate presence of water of U.S. in revious TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) the Non-RPWs that flow directly or indirect Wetlands adjacent to but not directly all Wetlands adjacent to but not directly all Wetlands adjacent to non-RPWs that flow Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters b. Identify (estimate) size of waters of the U	ew area (Check at flow directly ly into TNWs flow directly or butting RPWs tl ow directly or ir s, including isola	or indirectly into T indirectly into TNV hat flow directly or ndirectly into TNW ated wetlands	NWs Vs indirectly in	nto TNWs	
There Are No "waters of the U.S." within Clean Warea 1. Waters of the U.S. a. Indicate presence of water of U.S. in review TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) the Non-RPWs that flow directly or indirect Wetlands adjacent to but not directly all Wetlands adjacent to non-RPWs that flow directly all Wetlands adjacent to non-RPWs that flow Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters b. Identify (estimate) size of waters of the U	ew area (Check at flow directly ly into TNWs flow directly or butting RPWs tl ow directly or ir s, including isola	or indirectly into T indirectly into TNV hat flow directly or ndirectly into TNW ated wetlands	NWs Vs indirectly in	nto TNWs	28) in the review Acres
There Are No "waters of the U.S." within Clean Warea 1. Waters of the U.S. a. Indicate presence of water of U.S. in revious TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) the Non-RPWs that flow directly or indirect Wetlands adjacent to but not directly all Wetlands adjacent to non-RPWs that flow Wetlands adjacent to non-RPWs that flow Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters b. Identify (estimate) size of waters of the U	ew area (Check at flow directly ly into TNWs flow directly or butting RPWs tl ow directly or ir s, including isola	or indirectly into T indirectly into TNV hat flow directly or ndirectly into TNW ated wetlands	NWs Vs indirectly in	nto TNWs	·
There Are No "waters of the U.S." within Clean Warea 1. Waters of the U.S. a. Indicate presence of water of U.S. in review TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) the Non-RPWs that flow directly or indirect Wetlands adjacent to but not directly all Wetlands adjacent to non-RPWs that flow directly all Wetlands adjacent to non-RPWs that flow Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters b. Identify (estimate) size of waters of the U	ew area (Check at flow directly ly into TNWs flow directly or butting RPWs tl ow directly or in s, including isola J.S. in the revien	or indirectly into T indirectly into TNV hat flow directly or ndirectly into TNW ated wetlands	NWs Vs indirectly in	nto TNWs	·

Explain: 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.

Feature ID:	F
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		Vegetation
	Summarize rationale s	upporting determination:	
_	14/-41	TA1	

2. Wetland adjacent to TN

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00511

Average Annual Rainfall (in): 10.47

Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(a) Relationship with TNW

☐ Tributary flows d ☐ Tributary flows t		tributaries before entering TNW
Project waters are	30 (or more)	river miles from TNW

Feature ID: F

Project wate	rs are		river Miles fro	om tributary to	RPW:	
Project wate	rs are 30 (o	r more)	aerial (straigh	t) miles from t	ributary to TN	W:
Project wate	rs are		aerial (straigh	t) miles from t	ributary to RP	W:
Project wate	rs cross or serv	e as state b	oundaries. E	xplain:		
ldentify flow	route to TNW	to Los Rob	les Wash, to 0		to Greene Was	flows to Brawley Wash, sh, to Santa Rosa Wash,
(b) General Tribut	ary Characteris	tics				
Tributary is:	latural	Explain:				
Average N Average D Average S	epth (ft):	1.88 1 3:1				
✓ Silts	<u> </u>	<u> </u>	•	□ Muck		
Cobbl	. Ulavei	te - Vegetat	ion Other,	Explain:		
Tributary Co	ondition/Stabili	ty [e.g., high	nly eroding, sl	oughing banks	. Explain:	Stable
•	Run/Riffle/Poo		-	Not Pres	-	
Tributary G	eometry:	Relatively S	traight			
Tributary G	adient (approx	imate avera	ige slope):	1%		
(c) Flow:						
Tributary Provides for:	Ephemeral F	low				
Estimate average number Describe Flow Re			area/year:	2-5		
Other Information on D						
Surface Flow is:	Discrete and	Confined	Characterist	ics:		
Subsurface Flow:	No		Explain:			
\square Dye (or other) te	st performed:					
Tributary Has (Check all	that annly):					
, ,	triat apply).					
☐ Bed and Banks✓ OHWM (check all the	ne apply): OHW	/M Indicato	rs:			
☐ Clear, natural lin ✔ Changes in soil of ☐ Shelving ✔ Vegetation matt ☐ Leaf litter distur ✔ Sediment depos ☐ Water staining Other (list):	haracter ed down, bent oed or washed	or absent		Presence of lit Destruction of Presence of wi Sediment sorti Scour Multiple obser Abrupt change	terrestrial veg rack line ng ved or predict	ed flow events
☐ Discontinuous? ■	xplain:					

Feature ID: F

If factors other than the OHWN were used to	determine lateral extent of CWA jurisdiction (Check all that apply)
☐ High tide line indicated by:	☐ Mean High water Mark indicated by:
\square oil or scum line along shore objec	sts survey to available datum
\Box fine shell or debris deposits (fores	shore)
\square physical markings/characteristics	\square vegetation lines/changes in vegetation types
\square tidal gauges	
\square other	
iii) Chemical Characteristics:	
	r, discolored, oily film; water quality; general watershed characteristics, e
Explain:	
Identify Specific Pollutants, if known:	
iv) Biological Characteristics. Channel supports (ch	eck all that apply):
Riparian Corridor Characteristics:	
☐ Wetland Fringe Characteristics:	
Habitat for:	
Federally Listed Species Explain find	
☐ Fish/Spawn Areas Explain find	
Other environmentally -sensitive species	Explain findings:
Aquatic/Wildlife diversity Explain:	
Properties: Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain:	
Project Wetlands Cross or Serve as State Bou	ndaries, Explain:
(b) General Flow Relationship with Non-TNW:	
Wetland Flow is:	Explain:
	•
Surface Flow is:	
Characteristics:	
Subsurface Flow: Ex	plain Findings:
(c) Wetland Adjacency Determination with Non	Thua/.
(c) Wetland Adjacency Determination with Non ☐ Wetland Directly Abutting Non-TNW	-11VV.
☐ Wetland Not Directly Abutting Non-TNW	
☐ Discrete wetland hydrologic connect	
Ecological connection Explain:	Lori Expiditi.
	lain:
Separated by bernit barrier EXP	IUIII.
(d) Proximity (Relationship) to TNW	
Project Wetlands: River Miles from TNW:	

2.

Project Wetlands: Aerial Miles from TNW:

Feature ID: F

Flow is From:	
Estimate approximate Location of Wetland	within Floodplain:
(ii) Chemical Characteristics:	
characteristics: ect.).	ear, brown, oil film on surface; water quality; general watershed
Explain Identify specific pollutants, if know:	
(iii) Biological Characteristics. Wetland supports (chec	ck all that apply):
☐ Riparian Buffer Characteristics (type, aver	
☐ 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 tribut	ary (if any)
All wetland(s) being considered in cumulative analy	sis:
Wetland acres in total being considered in cumulati	ve analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: F

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act.

2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly or indirectl	
TNW. Explain findings of presence or absence of significant nexus belwo, based on the tributary in combination of its adiacent welands. then go to SectionIII.D:	-
3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain find presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent we then go to Section III.D:	_
ETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL TH	AT AP
1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area:	
☐ TNWs Linear Feet: Width (ft): TNW Acres	
☐ Wetlands adjacent to TNWs: Acres:	
2. RPWs that flow directly or indirectly into TNWs	
Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale that tributary is perennial:	indicat
Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each yea jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that trib flows seasonally:	
Provide estimates for jurisdictional waters in the review are (check all that apply):	
☐ Tributary waters 9005.5 Linear Feet: 1.88 Width (Ft).	
Other non-wetland waters: Acres: 1.28	
3. Non-RPWs that flow directly or indirectly into TNWs.	
☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has significant next with a TNW is jurisdictional. Data supporting this conclusion provided at section III.c.	zs
Provide estimates of jurisdictional waters within the review area (check all that apply):	
Length (Linear Feet): Width (feet): Acres:	
4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.	
\square Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.	
Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is dabutting and RPW:	
☐ Wetlands directly abutting an RPW where tributaries typically flow "Seasonally". Provide data indicating t	:hat tril

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: F

adjacent and with sin		ered in combination with the tributary to which they are a significant nexus with a TNW are jurisidictional. Data
	es for jurisdictional wetland in the review	varea: Acres:
_	- n-RPWs that flow directly or indirectly in	
☐ Wetlands adjacent to suc	ch waters, and have when considered in dadjacent wetlands, have a significant i	combination with the tributary to which they are adjacent nexus with a TNW are jurisdictional. Data supporting this
Provide estimates for jur	isdictional wetland in the review area (ir	acres):
7. Impoundments of jurisdiction	onal waters.	
Demonstration of Jurisdicti		
Supporting rationale: Length (linear feet): F. NON-JURISDICTIONAL WATE Non-Jurisdictional Waters:	•	lexus" standard, where such a finding is
	required for jurisdiction.	
Explain finding of no Significa	nt Nexus:	
	nigratory birds, presence of endangered	rea, where the sole potential basis of jurisdiction is the species, use of water for irrigated agriculture), using best
\square Non wetland-Waters (i.e.,	rivers, streams): linear feet :	width (ft):
Other Non-wetland WaterWetlands MBR acres:	s MBR acres:	
	non-jurisdictional waters in the review a d for jurisdiction (check all that apply):	rea that do not meet the "Significant Nexus" standard,
☐ Non-wetland waters	linear feet (ft),	width (ft)

acres

☐ Wetlands

Feature ID:	F

SECTION IV: DATA SOURCES

Maps, Plans, Plots or Plat Submitted by	Applicant/Consultant:	WestLand Resources, Inc.
Data Sheets Prepared/Submitted by or on be	ehalf of Applicant/Consu	ltant
☐ Office Concurs with data sheets/delineati	ion report	
☐ Office Does Not Concur with data sheets/	delineation report	
Data Sheets Prepared by the Corps		
Corps Navigable Water Study		
US Geological Survey Hydrologic Atlas		
USGS NHD Data		
☐ USGS 8 and 12 digit HUC Maps		
_	O 1N	
US Geological Survey Map(s) Scale and 0		
, , , , ,		
San Xavier Mission and Cat Mountain 7.5		
, , , , ,	5-Minute Quadrangles	
San Xavier Mission and Cat Mountain 7.5 USDA Nat'l Res Conservation Service Soil Surv	5-Minute Quadrangles	
San Xavier Mission and Cat Mountain 7.5 USDA Nat'l Res Conservation Service Soil Surv	5-Minute Quadrangles vey Citation:	
San Xavier Mission and Cat Mountain 7.5 USDA Nat'l Res Conservation Service Soil Surv National Wetlands Inventory Maps Ci	5-Minute Quadrangles vey Citation:	
San Xavier Mission and Cat Mountain 7.5 USDA Nat'l Res Conservation Service Soil Surv National Wetlands Inventory Maps Ci State/Local Wetland Inventory Maps	5-Minute Quadrangles vey Citation: ite Map Name:	ional Geodetic Vertical Datum of 1929)
San Xavier Mission and Cat Mountain 7.5 USDA Nat'l Res Conservation Service Soil Surv National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is:	5-Minute Quadrangles vey Citation: ite Map Name:	
San Xavier Mission and Cat Mountain 7.5 USDA Nat'l Res Conservation Service Soil Surv. National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date):	5-Minute Quadrangles vey Citation: ite Map Name: (Nat	010
San Xavier Mission and Cat Mountain 7.5 USDA Nat'l Res Conservation Service Soil Surv. National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date):	5-Minute Quadrangles vey Citation: ite Map Name: (Nat	010
San Xavier Mission and Cat Mountain 7.5 USDA Nat'l Res Conservation Service Soil Surv. National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date):	5-Minute Quadrangles vey Citation: ite Map Name: (Nat ESRI Online Microsoft 2 Ground Photos; June th ate of Response Letter:	010
San Xavier Mission and Cat Mountain 7.5 USDA Nat'l Res Conservation Service Soil Surv. National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date): Previous Determinations File No. and Date	5-Minute Quadrangles vey Citation: ite Map Name: (Nat ESRI Online Microsoft 2 Ground Photos; June th ate of Response Letter:	010

Feature ID: G

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL D	
A. REPORT CONFESSION DATE FOR APPROVED JORISDICTIONAL DI	ETERMINATION (JD)
B. DISTRICT OFFICE, FILE NAME, AND NUMBER Los Angeles Dist	rict, File No. Pending
C. PROJECT LOCATION AND BACKGROUND INFORMATION: Draina	age Feature G
State: AZ County/Parish/borough: Pima County	City: Tucson
Center coordinates of site: Lat. 32.126°N Long11	1.076°W
Name of nearest waterbody: Black Wash	
Name of nearest Traditional Navigable Water (TNW) into which the aqu	uatic resource flows:
Name of watershed or Hydrologic Unit Code (HUC): 15050304	
 Check if map/diagram of review are and/or potential jurisdictional are Check if other sites (e.g, offsite mitigation sites, disposal sites, etc) different JD form. 	
D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT A	APPLY)
☐ Office (Desk) Determination. Date:✓ Field Determination. Date(s): 07/2013	
ECTION II: SUMMARY OF FINDINGS	
A. RHA SECTION 10 DETERMINATION OF JURISDICTION	
There Are No "navigable waters of the U.S." within Rivers and Harbors the review area. Waters subject to the ebb and flow of the tide.	Act (RHA) jurisdiction (as defined by 33 CFR part 329 in
☐ Waters are presently used, or have been used in the past, or may be B. CWA SECTION 404 DETERMINATION OF ILLRISDICTION	e susceptible for use to transport interstate or foreign comme
B. CWA SECTION 404 DETERMINATION OF JURISDICTION	
B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisd area	
B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurison	diction (as defined by 33 CFR part 328) in the review the apply): directly into TNWs rectly into TNWs ow directly or indirectly into TNWs ctly into TNWs
B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisonarea 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or ince Non-RPWs that flow directly or indirectly into TNWs Wetlands directly abutting RPWs that flow directly or indirectly wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly adjacent to non-RPWs that flow directly or indirectly Impoundments of jurisdictional waters	diction (as defined by 33 CFR part 328) in the review the apply): directly into TNWs rectly into TNWs ow directly or indirectly into TNWs ctly into TNWs wetlands
B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurison area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly or indirectly or indirectly abutting RPWs that flow directly or indirectly wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly adjacent to non-RPWs that flow directly or indirectly impoundments of jurisdictional waters Isolated (interstate or intrastate) waters, including isolated in the control of the cont	diction (as defined by 33 CFR part 328) in the review the apply): directly into TNWs rectly into TNWs ow directly or indirectly into TNWs ctly into TNWs wetlands
B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisonarea 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or independent of the Wetlands directly abutting RPWs that flow directly or indirectly indirectly abutting RPWs that flow directly or indirectly indirectly abutting RPWs that flow directly or indirectly or indirectly indire	diction (as defined by 33 CFR part 328) in the review the apply): directly into TNWs ectly into TNWs ow directly or indirectly into TNWs ctly into TNWs wetlands ea
B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurison area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or independent of the Wetlands directly abutting RPWs that flow directly or indirectly wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly indirectly or indirectly indirectly or indirectly indirectly adjacent to non-RPWs that flow directly or indirectly indirect	diction (as defined by 33 CFR part 328) in the review the apply): directly into TNWs ectly into TNWs ow directly or indirectly into TNWs ctly into TNWs wetlands ea

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.

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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		☐ Vegetation
	Summarize rationale s	upporting determination:	
2.	Wetland adjacent to	TN	

-

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

Watershed Size (sq mi): 49650 Drainage Area (sq mi): 0.00049 Average Annual Rainfall (in): 10.47 Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(i) General Area Conditions:

(a) Relationship with TNW

☐ Tributary flows d ☐ Tributary flows tl		tributaries before entering TNW
Project waters are	30 (or more)	river miles from TNW

Feature ID: G

Project wa	aters are		iver Miles from tributary to RPW:	
Project wa	aters are	0 (or more)	erial (straight) miles from tributary to	TNW:
Project wa	aters are		erial (straight) miles from tributary to	RPW:
Project wa	aters cross or	serve as state b	undaries. Explain:	
ldentify fl	ow route to T	to Los Rok	ature G flows to Black Wash, Black Wa es Wash, to Greene Canal, to Greene V uz Wash, and then to the Gila River.	-
(b) General Trib	utary Charac	teristics		
Tributary is:	Natural	Explain:		
Averag Averag	roperties with e Width (ft): e Depth (ft): e Side Slopes	1.59 1	f bank (estimate):	
Primary tr	ibutary subst	rate compositio	(check all that apply):	
	obles 🔽 Gra		rrete	
Tributary	Condition/St	ability [e.g., higl	y eroding, sloughing banks. Explain:	Stable
Presence	of Run/Riffle	/Pool Complexe	Explain: Not Present	
Tributary	Geometry:	Relatively S	aight	
Tributary	Gradient (ap	proximate avera	ge slope): 1%	
(c) Flow:				
Tributary Provides for	: Epheme	ral Flow		
Estimate average num Describe Flow		vents in review	rea/year: 2-5	
Other Information or	Duration an	d Volume:		
Surface Flow is:	Discrete	and Confined	Characteristics:	
Subsurface Flow:	No		Explain:	
\square Dye (or other)	test performe	ed:		
Tributary Has (Check	all that annly).		
☐ Bed and Banks ✓ OHWM (check al		,	ς.	
Clear, natural Changes in so Shelving Vegetation m Leaf litter dist Vater stainin Other (list):	line impresse il character atted down, l curbed or was osition	ed on the bank	Presence of litter and deb Destruction of terrestrial of terrestri	vegetation licted flow events
☐ Discontinuous?	Explain:			

Feature ID: G

If factors other than the OHWN were used to determine lateral extent of CWA jurisdiction (Check all that apply) High tide line indicated by: ☐ Mean High water Mark indicated by: oil or scum line along shore objects □ survey to available datum fine shell or debris deposits (foreshore) physical markings physical markings/characteristics vegetation lines/changes in vegetation types ☐ tidal gauges \Box other (iii) Chemical Characteristics: Characterize Tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc): Explain: 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 findings:** ☐ Fish/Spawn Areas **Explain findings:** ☐ Other environmentally -sensitive species Explain findings: Aquatic/Wildlife diversity Explain: 2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW (i) Physical Characteristics: (a) General Wetland Characteristics **Properties:** Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: (b) General Flow Relationship with Non-TNW: Wetland Flow is: Explain: Surface Flow is: Characteristics: Subsurface Flow: **Explain Findings:** (c) Wetland Adjacency Determination with Non-TNW: ☐ Wetland Directly Abutting Non-TNW □ Wetland Not Directly Abutting Non-TNW ☐ Discrete wetland hydrologic connection Explain: Ecological connection Explain: ☐ Separated by berm/barrier Explain: (d) Proximity (Relationship) to TNW Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Feature ID: G

Flow is From:	
Estimate approximat	e Location of Wetland within Floodplain:
(ii) Chemical Characteristics:	
Characterize wetland system characteristics: ect.). Explain	m (e.g., water color is clear, brown, oil film on surface; water quality; general watershed
Identify specific pollutants,	if know:
(iii) Biological Characteristics. \	Wetland supports (check all that apply):
Riparian Buffer Cha	aracteristics (type, average width):
☐ Vegetation type/per	cent cover. Explain:
Habitat for:	
☐ Federally Listed Spe	cies Explain:
☐ Fish/Spawn Areas	Explain:
Other environmenta	ally-sensitive species Explain:
☐ Aquatic/Wildlife Div	ersity Explain:
3. Characteristics of all wetlands	adjacent to the tributary (if any)
All wetland(s) being conside	red in cumulative analysis:
Wetland acres in total being	considered in cumulative analysis:
Describe each wetland (direc	ctly abuts tributary?; size in acres; overall biological, chemical or physical functions):

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: G

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act.

2. Significant nexus findings for TNW. Explain findings of preser of its adiacent welands. then go	nce or abser o to Section	nce of sig III.D:	gnificant n	exus belw	o, based on th	ne tributary	y in combination	with a
3. Significant nexus findings for presence or absence of significathen go to Section III.D:								
ETERMINATIONS OF JURISDIC					-		•	АТ АР
1. TNWs and Adjacent Wetlands	s. Check al	ll that ap	oply and pr	ovide size	estimates in r	eview area:	:	
☐ TNWs Linear Feet:			Width (ft):		TNW Acres			
\square Wetlands adjacent to TNWs	s: Acres:							
2. RPWs that flow directly or in	directly into	TNWs						
☐ Tributaries of TNWs where that tributary is perennial:	tributaries	typically	flow year-	round are	jurisdictional.	Provide da	ata and Rationale	indicat
\Box Tributaries of TNW where t	tributaries h	ave con	tinuous flo	w "season	ally" (e.g., typ	cally three	months each vea	rl are
jurisdictional. Data support flows seasonally:	ting this con					•	•	
-		clusion i	s provided	at Sectior	n III.B. Provide	rationale ir	•	
flows seasonally:	ırisdictional	clusion i	s provided	at Sectior w are (che	n III.B. Provide	rationale ir	•	
flows seasonally: Provide estimates for ju	risdictional 8729.6	clusion i waters i	s provided	at Sectior w are (che	n III.B. Provide	rationale ir	•	•
flows seasonally: Provide estimates for ju Tributary waters Other non-wetland	risdictional 8729.6 waters:	clusion i waters ii 64 Linea Acres:	s provided n the revie r Feet: 1.05	at Sectior w are (che	n III.B. Provide	rationale ir	•	•
flows seasonally: Provide estimates for ju Tributary waters	8729.6 waters: or indirectly	waters in 64 Linea Acres: y into TN N, but flo	is provided in the revier ir Feet: 1.05 NWs. ows directl	at Section w are (che 1.59	n III.B. Provide eck all that app Width (Ft).	rationale in ly): N, and it ha	ndicating that trib	utary
flows seasonally: Provide estimates for ju Tributary waters Other non-wetland Non-RPWs that flow directly Waterbody that is not a TN	waters: or indirectly W or an RPV Data suppo	waters in the second of the se	is provided in the review ir Feet: 1.05 NWs. ows directly is conclusion	at Section w are (che 1.59 y or indire on provide	eck all that app Width (Ft). ectly into a TN'ed at section II	rationale in ly): W, and it ha	ndicating that trib	utary
flows seasonally: Provide estimates for ju Tributary waters Other non-wetland 3. Non-RPWs that flow directly Waterbody that is not a TN with a TNW is jurisdictional	waters: or indirectly W or an RPV Data suppo	waters in 64 Linea Acres: y into TN N, but floorting the within t	is provided in the review ir Feet: 1.05 NWs. ows directly is conclusion	at Section w are (che 1.59 y or indire on provide	eck all that app Width (Ft). ectly into a TN'ed at section II	rationale in ly): W, and it ha	ndicating that trib	utary
flows seasonally: Provide estimates for ju Tributary waters Other non-wetland 3. Non-RPWs that flow directly Waterbody that is not a TN with a TNW is jurisdictional Provide estimates of jurisdictional	waters: or indirectly W or an RPV Data suppo	waters in 64 Linea Acres: y into TN N, but floorting the within t	n the review and the review at 1.05 NWs. ows directly is conclusionable review at (feet):	at Section w are (che 1.59 y or indire on provide area (chec	eck all that app Width (Ft). ectly into a TN ed at section II ck all that appl Acres:	rationale in ly): W, and it ha	ndicating that trib	utary
flows seasonally: Provide estimates for ju Tributary waters Other non-wetland 3. Non-RPWs that flow directly Waterbody that is not a TN' with a TNW is jurisdictional Provide estimates of jurisdicti Length (Linear Feet): 4. Wetlands directly abutting and	waters: or indirectly W or an RPV Data supportional waters n RPW that	waters in 64 Linea Acres: y into TN N, but floorting the within the Width flow dire	n the review of the retly or income.	at Section w are (che 1.59 y or indire on provide area (chec	eck all that app Width (Ft). Ectly into a TN ed at section II ck all that appl Acres:	rationale in ly): W, and it ha	ndicating that trib	utary
flows seasonally: Provide estimates for ju Tributary waters Other non-wetland 3. Non-RPWs that flow directly Waterbody that is not a TN' with a TNW is jurisdictional Provide estimates of jurisdicti Length (Linear Feet):	waters: or indirectly W or an RPV Data support onal waters n RPW that W and thus a	waters in 4 Linea Acres: y into TN N, but floorting th within t Width flow dire are jurise where t	is provided in the review in Feet: 1.05 NWs. ows directl is conclusion the review in (feet): ectly or incomplicational associational assoc	at Section w are (che 1.59 y or indire on provide area (chec lirectly into	eck all that app Width (Ft). ectly into a TN' ed at section II ck all that appl Acres: to TNWs. wetlands. low year-round	rationale in ly): W, and it had.c. y):	as significant nexu	utary

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: G

adjacent and with sin		ered in combination with the tributary to which they are a significant nexus with a TNW are jurisidictional. Data
	es for jurisdictional wetland in the review	varea: Acres:
_	- n-RPWs that flow directly or indirectly in	
☐ Wetlands adjacent to suc	ch waters, and have when considered in dadjacent wetlands, have a significant i	combination with the tributary to which they are adjacent nexus with a TNW are jurisdictional. Data supporting this
Provide estimates for jur	isdictional wetland in the review area (ir	acres):
7. Impoundments of jurisdiction	onal waters.	
Demonstration of Jurisdicti		
Supporting rationale: Length (linear feet): F. NON-JURISDICTIONAL WATE Non-Jurisdictional Waters:	•	lexus" standard, where such a finding is
	required for jurisdiction.	
Explain finding of no Significa	nt Nexus:	
	nigratory birds, presence of endangered	rea, where the sole potential basis of jurisdiction is the species, use of water for irrigated agriculture), using best
\square Non wetland-Waters (i.e.,	rivers, streams): linear feet :	width (ft):
Other Non-wetland WaterWetlands MBR acres:	s MBR acres:	
	non-jurisdictional waters in the review a d for jurisdiction (check all that apply):	rea that do not meet the "Significant Nexus" standard,
☐ Non-wetland waters	linear feet (ft),	width (ft)

acres

☐ Wetlands

Feature ID: G

SECTION IV: DATA SOURCES

Additional Comments to Support JD:

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below): ✓ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc. ✓ Data Sheets Prepared/Submitted by or on behalf of Applicant/Consultant Office Concurs with data sheets/delineation report ☐ Office Does Not Concur with data sheets/delineation report ☐ Data Sheets Prepared by the Corps ☐ Corps Navigable Water Study ☐ US Geological Survey Hydrologic Atlas ☐ USGS NHD Data USGS 8 and 12 digit HUC Maps ✓ US Geological Survey Map(s) Scale and Quad Name: San Xavier Mission and Cat Mountain 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/FIRM Maps: ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929) ✓ Aerial Photographs (Name and Date): ESRI Online Microsoft 2010 ✓ Other Photographs (Name and Date): Ground Photos; June through July 2013 Previous Determinations File No. and Date of Response Letter: ☐ Applicable/Supporting Case Law Citation: ☐ Applicable/Supporting Scientific Literature Citation: Other Information, Please Specify:

Feature ID:	Н

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD) 3. DISTRICT OFFICE, FILE NAME, AND NUMBER LOS Angeles District, File No. Pending C. PROJECT LOCATION AND BACKGROUND INFORMATION: Drainage Feature State:	PROJECT LOCATION AND BACKGROUND INFOR State: AZ County/Parish/borough: Center coordinates of site: Lat. 32.126°N Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW)	Los Angeles MATION: Di Pima County Long.	District, File Noralinage Feature	p. Pending	City:	Tucson
State: AZ County/Parish/borough: Pima County City: Tucson Center coordinates of site: Lat. 32.126*N Long. 1111.076*W Name of nearest waterbody: Black Wash Name of nearest dititional Navigable Water (TNW) into which the aquatic resource flows: Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different 1D form. D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) Office (Desk) Determination. Date: Field Determination. Date(s): 07/2013 SECTION 11: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the beb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign comm B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWS (new) Wetlands adjacent to TNWS kellshely permanent waters (RPWs) that flow directly or indirectly into TNWS Wetlands adjacent to on-RPWs that flow directly or indirectly into TNWS Wetlands adjacent to on-RPWs that flow directly or indirectly into TNWS Wetlands adjacent to on-RPWs that flow directly or indirectly into TNWS Wetlands adjacent to on-RPWs that flow directly or indirectly into TNWS Wetlands adjacent to nor-RPWs that flow directly or indirectly into TNWS Metlands directly abunting RPWs that flow directly or indirectly into TNWS Metlands adjacent to on-RPWs that flow directly or indirectly into TNWS Metlands adjacent to on-RPWs that flow directly or indirectly into TNWS Metlands adjacent to on-RPWs that flow d	PROJECT LOCATION AND BACKGROUND INFOR State: AZ County/Parish/borough: Center coordinates of site: Lat. 32.126°N Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW)	MATION: Do Pima County Long.	rainage Featur	е Н	City:	Tucson
State: AZ County/Parish/borough: Pima County City: Tucson Center coordinates of site: Lat. 32.126*N Long111.076*W Name of nearest waterbody: Black Wash Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/diagram of review are and/or potential jurisdictional areas is/are available upon request Check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different ID form. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) Office (Desk) Determination. Date: Field Determination. Date(s): 07/2013 SECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign comm B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): Nation of the Company of	State: AZ County/Parish/borough: Center coordinates of site: Lat. 32.126°N Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW)	Pima County Long.	-111.076°W		City:	Tucson
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	• • • • • • • • • • • • • • • • • • • •			Ith (ft) and/o	r	Acres
c. Limits (boundaries) of Jurisdiction based on:	Wetlands Acres:					
	c. Limits (boundaries) of Jurisdiction based of	on:				

Explain: 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.

Feature ID:	Н
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		Vegetation
	Summarize rationale s	upporting determination:	
2.	Wetland adjacent to	TN	

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

Watershed Size (sq mi):

(i) General Area Conditions:

49650 0.00011 Drainage Area (sq mi): Average Annual Rainfall (in): 10.47 Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(a) Relationship with TNW

☐ Tributary flows d	irectly to TNW	
☐ Tributary flows t	hrough 7	tributaries before entering TNW
Project waters are	30 (or more)	river miles from TNW

Feature ID: H

Project water	rs are		river Miles 1	from trib	utary to F	RPW:	
Project water	rs are 30 (d	or more)	aerial (strai	ght) mile	s from tri	butary to ⁻	ΓNW:
Project water	rs are		aerial (strai	ght) mile	s from tri	butary to I	RPW:
Project water	s cross or ser	ve as state b	oundaries.	Explain	:		
Identify flow	route to TNW	to Los Rob		o Greene	Canal, to	Greene W	sh flows to Brawley Wash, Vash, to Santa Rosa Wash,
(b) General Tributa	ry Characteri	istics					
Tributary is: N	atural	Explain:					
Tributary prop Average W Average D	/idth (ft):	spect to top 1.63	of bank (est	imate):			
Average Si	de Slopes:	3:1					
Primary tribu	tary substrate	e compositio	n (check all	that app	ly):		
✓ Silts ☐ Cobble ☐ Bedroo	. Siavei		icrete ion Othe	r, Explaii	Muck n:		
Tributary Co	ndition/Stabil	lity [e.g., higl	nly eroding,	sloughin	g banks. I	Explain:	Stable
•	Run/Riffle/Po	,			Not Prese	•	
Tributary Ge	ometry:	Relatively S	traight				
Tributary Gr	adient (appro	ximate avera	age slope):	1	%		
c) Flow:							
Tributary Provides for:	Ephemeral	Flow					
Estimate average numbe Describe Flow Reg	r of flow even		area/year:		2-5		
Other Information on Du	ration and Vo	olume:					
Surface Flow is:	Discrete and	d Confined	Character	stics:			
Subsurface Flow:	No		Explain:				
\square Dye (or other) tes	t performed:						
Tributary Has /Chask all	that annly).						
Tributary Has (Check all	итат арргуу.						
☐ Bed and Banks✓ OHWM (check all the	e apply): OH	WM Indicato	rs:				
☐ Clear, natural line ☐ Changes in soil of ☐ Shelving ☑ Vegetation matte ☐ Leaf litter disturb ☑ Sediment deposi ☐ Water staining Other (list):	naracter ed down, ben eed or washed	t or absent		Destru Presen Sedime Scour Multip	ction of to ce of wra ent sorting	g	regetation icted flow events
	xplain:						
בוסכטונווועטעט: E	Apiuiii.						

Feature ID: H

If factors other than the OHWN were used to determine lateral extent of CWA jurisdiction (Check all that apply) High tide line indicated by: ☐ Mean High water Mark indicated by: oil or scum line along shore objects □ survey to available datum fine shell or debris deposits (foreshore) physical markings physical markings/characteristics vegetation lines/changes in vegetation types ☐ tidal gauges \Box other (iii) Chemical Characteristics: Characterize Tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc): Explain: 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 findings:** ☐ Fish/Spawn Areas **Explain findings:** ☐ Other environmentally -sensitive species Explain findings: Aquatic/Wildlife diversity Explain: 2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW (i) Physical Characteristics: (a) General Wetland Characteristics **Properties:** Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: (b) General Flow Relationship with Non-TNW: Wetland Flow is: Explain: Surface Flow is: Characteristics: Subsurface Flow: **Explain Findings:** (c) Wetland Adjacency Determination with Non-TNW: ☐ Wetland Directly Abutting Non-TNW □ Wetland Not Directly Abutting Non-TNW ☐ Discrete wetland hydrologic connection Explain: Ecological connection Explain: ☐ Separated by berm/barrier Explain: (d) Proximity (Relationship) to TNW Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Feature ID: H

Flow is From:
Estimate approximate Location of Wetland within Floodplain:
ii) Chemical Characteristics:
Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics: ect.). Explain
Identify specific pollutants, if know:
iii) Biological Characteristics. Wetland supports (check all that apply):
☐ Riparian Buffer Characteristics (type, average width):
☐ Vegetation type/percent cover. Explain:
Habitat for:
Federally Listed Species Explain:
☐ Fish/Spawn Areas Explain:
Other environmentally-sensitive species Explain:
Aquatic/Wildlife Diversity Explain:
Characteristics of all wetlands adjacent to the tributary (if any)
All wetland(s) being considered in cumulative analysis:
Wetland acres in total being considered in cumulative analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: H

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the

nexus does not exist and these dr						
2. Significant nexus findings for n TNW. Explain findings of presence of its adiacent welands. then go	ce or absence of s	-				-
3. Significant nexus findings for w presence or absence of significant then go to Section III.D:	-				-	
ETERMINATIONS OF JURISDICT				-		•
1. TNWs and Adjacent Wetlands.	Check all that a	1		estimates in	review area:	
☐ TNWs Linear Feet:		Width (ft):		TNW Acres		
$\hfill \square$ Wetlands adjacent to TNWs:	Acres:					
2. RPWs that flow directly or indi	irectly into TNWs	5				
☐ Tributaries of TNWs where to that tributary is perennial:	ributaries typical	ly flow year-	round are	gjurisdictional	. Provide da	ta and Rationale indica
Tributaries of TNW where tri jurisdictional. Data supporting flows seasonally:					-	
Provide estimates for juri	sdictional waters	in the revie	w are (che	eck all that ap	ply):	
\Box Tributary waters	10000.18 Line	ear Feet:	1.63	3 Width (Ft).		
Other non-wetland wa	aters: Acres:	1.22				
3. Non-RPWs that flow directly o	r indirectly into 1	ΓNWs				
☐ Waterbody that is not a TNW with a TNW is jurisdictional. [or an RPW, but	flows directl	-	•		as significant nexus
Provide estimates of jurisdiction						
Length (Linear Feet):	Widt	th (feet):		Acres:		
4. Wetlands directly abutting an	RPW that flow di	irectly or inc	directly in	to TNWs.		
	and thus are juri	sdictional as	adiacent	wetlands.		
☐ Wetlands directly abut RPW	-		•		d. Provide d	lata and rationale
□ Wetlands directly abut RPW □ Wetlands directly abuttir indicating that tributary if abutting and RPW:	_			•		

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: H

	-	RPW, but when consid			
adjacent and with sim supporting this conclu		djacent wetlands, have	a significant nexus	with a INW are	e jurisidictional. Data
Provide acreage estimate			v area: Acres:		
6. Wetlands adjacent to non	-				
•		-			
Wetlands adjacent to suc and with similarly situate conclusion is provided at	d adjacent wetla				
Provide estimates for juri	sdictional wetla	nd in the review area (i	n acres):		
7. Impoundments of jurisdiction	onal waters.				
Demonstration of Jurisdiction	on:				
E. ISOLATED WATERS, INCLUDI WHICH COULD AFFECT INTERS			, DEGRADATION	OR DESTRUC	TION OF
Supporting rationals:					
Supporting rationale:	A				
Length (linear feet):	Acres	5:			
F. NON-JURISDICTIONAL WATE	RS, INCLUDIN	G WETLANDS:			
Non-Jurisdictional Waters:	Waters do no required for ju	t meet the "Significant I urisdiction.	Nexus" standard, v	here such a find	ding is
Explain finding of no Signification	nt Nexus:				
, , , , , , , , , , , , , , , , , , , ,					
Provide acreage estimates for r	-			•	' -
MBR factors (i.e., presence of n professional judgment (check a		presence of endangered	l species, use of wa	ater for irrigated	dagriculture), using best
\square Non wetland-Waters (i.e., i	rivers, streams):	linear feet :	width (ft):		
Other Non-wetland Waters	s MBR a	cres:			
☐ Wetlands MBR acres:					
Provide acreage estimates for r where such a finding is required			rea that do not me	et the "Significa	ant Nexus" standard,
☐ Non-wetland waters		linear feet (ft),	width (ft)		
Other waters		acres	. ,		

acres

Wetlands

SECTION IV: DATA SOURCES

ecked and requested, appropriately referen Maps, Plans, Plots or Plat Submitted by	Applicant/Consultant:	WestLand Resources, Inc.
Data Sheets Prepared/Submitted by or or	n behalf of Applicant/Consult	rant
☐ Office Concurs with data sheets/delin	eation report	
☐ Office Does Not Concur with data she	ets/delineation report	
☐ Data Sheets Prepared by the Corps		
Corps Navigable Water Study		
US Geological Survey Hydrologic Atlas		
USGS NHD Data		
USGS 8 and 12 digit HUC Maps		
_		
, , , ,	nd Quad Name:	
US Geological Survey Map(s) Scale at San Xavier Mission and Cat Mountain		
, , , , ,	n 7.5-Minute Quadrangles	
San Xavier Mission and Cat Mountain	n 7.5-Minute Quadrangles	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil	n 7.5-Minute Quadrangles Survey Citation:	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil National Wetlands Inventory Maps	n 7.5-Minute Quadrangles Survey Citation:	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil National Wetlands Inventory Maps State/Local Wetland Inventory Maps	n 7.5-Minute Quadrangles Survey Citation: Cite Map Name:	onal Geodetic Vertical Datum of 1929)
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps:	n 7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nation)	·
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is:	n 7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nation: ESRI Online Microsoft 20	010
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date):	n 7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nation: ESRI Online Microsoft 20	010
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San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date): Previous Determinations File No. and	n 7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nation: ESRI Online Microsoft 20 Ground Photos; June through the date of Response Letter: Estion:	010

Feature ID:	I

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I:	BACKGROUN	D INFOR	<u>MATION</u>							
A. REPORT	COMPLETION	DATE F	OR APPROVED JI	JRISDIC	CTION	AL DETERM	INATION (JD)		
B. DISTRIC	T OFFICE, FILE	NAME,	AND NUMBER	Los Aı	ngeles	District, File	e No. Pendin	g		
C. PROJEC	T LOCATION A	ND BAC	GROUND INFOR	RMATIC	N: Di	ainage Fea	ture l			
State:	AZ (County/Pa	rish/borough:	Pima (County			City:	Tucson	
Center o	coordinates of s	ite: Lat.	32.126°N		Long.	-111.076°V	V			
Name o	f nearest waterl	oody:	Black Wash							
	f nearest Traditi la River	onal Navi	gable Water (TNW) into wl	nich the	e aquatic res	ource flows:			
Name o	f watershed or I	Hydrologic	Unit Code (HUC):		15050	304				
\square Chec			w are and/or pote e mitigation sites, d	-			-	· ·	are recorded	d on a
D. REVIEW	PERFORMED	FOR SITE	E EVALUATION (CHECK	ALL TH	AT APPLY)				
	ce (Desk) Deterr d Determination									
	: SUMMARY (-							
			<u>NGS</u> ATION OF JURISD	ICTION						
□ Wat	the revie ers subject to th ers are presentl	w area. ie ebb and y used, or	of the U.S." within I flow of the tide. have been used in	the pas	t, or m					
			S." within Clean Wa			jurisdiction (as defined by 3	33 CFR part 3	28) in the rev	view
1. W	area laters of the U.S	S .								
a	TNWs (new Wetlands ac Relatively por Non-RPWs to Wetlands ac Wetlands ac Impoundment	djacent to ermanent hat flow o rectly about djacent to ents of juri	TNWs waters (RPWs) that directly or indirectly utting RPWs that for but not directly at non-RPWs that flow is dictional waters intrastate) waters	at flow d y into TN flow dire outting F ow direct	irectly NWs ectly or RPWs th	or indirectly indirectly int act flow dired directly into	into TNWs to TNWs ctly or indirect TNWs	ly into TNWs		
b	. Identify (estin	nate) size	of waters of the U	.S. in th	e revie	w area				
	Non-Wetland	-		ear Feet			Width (ft) and	/or	Acres	
	Wetlands Acre	es:								
(c. Limits (bound	aries) of J	urisdiction based	on:						
	-	-	etlands (check if a		e):					
			(3110011 11 U)		-,-					

✓ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined not to be jurisdictional:

Explain: 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.

Feature ID: I	
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		Vegetation
	Summarize rationale s	upporting determination:	
_	M/-411244-	TNI	

Wetland adjacent to TN

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

Watershed Size (sq mi):

(i) General Area Conditions:

49650 Drainage Area (sq mi): 0.00624 Average Annual Rainfall (in): 10.47 Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(a) Relationship with TNW

☐ Tributary flows d ☐ Tributary flows t		tributaries before entering TNW
Project waters are	30 (or more)	river miles from TNW

Feature ID: I

Project waters are Project waters are Project waters are 30 (or more) Project waters are 30 (or more) Project waters cross or serve as state boundaries. Explain: Identify flow route to TNW Drainage feature I flows to Black Wash, Black Wash flows to Brawley Wash, to Careene Canal, to Greene Wash, to Santa Rosa Wash, to Santa Cruz Wash, and then to the Gila River. (b) General Tributary Characteristics Tributary is: Natural Explain: Tributary properties with respect to top of bank (estimate): Average Width (ft): 1.95 Average Side Slopes: 3:1 Primary tributary substrate composition (check all that apply): Silts Sands Concrete Muck Cobbles Gravel Bedrock Substrate - Vegetation Other, Explain: Tributary Condition/Stability (e.g., highly eroding, sloughing banks. Explain: Stable Presence of Run/Riffle/Pool Complexes. Explain: Not Present Tributary Geometry: Relatively Straight Tributary Geometry: Relatively Straight Tributary Gradient (approximate average slope): 1% (c) Flow: Tributary Provides for: Ephemeral Flow Estimate average number of flow events in review area/year: 2-5 Describe Flow Regime: Ephemeral Other Information on Duration and Volume: Surface Flow is: Discrete and Confined Characteristics: Explain: Dye (or other) test performed: Tributary Has (Check all that apply): OHWM Indicators:	Project waters are Project waters are Project waters cross or serv Identify flow route to TNW (b) General Tributary Characteris Tributary is: Natural Tributary properties with res Average Width (ft): Average Depth (ft): Average Side Slopes: Primary tributary substrate Silts Sands Cobbles Gravel Bedrock Substra Tributary Condition/Stabili Presence of Run/Riffle/Poo Tributary Geometry: Tributary Gradient (approx (c) Flow: Tributary Provides for: Ephemeral F Estimate average number of flow event Describe Flow Regime: Ephe Other Information on Duration and Vo Surface Flow is: Discrete and Subsurface Flow: No	r more) re as state both re as state both Drainage fe Los Robles Santa Cruz stics Explain: pect to top of 1.95 1 3:1 composition Contacte - Vegetation ity [e.g., high of Complexes Relatively State dimate average flow ts in review a meral	aerial (strai aerial (strai oundaries. feature I flow s Wash, to G z Wash, and of bank (est n (check all ncrete cion Other nly eroding, s. Explain: traight age slope):	ight) miles ight) miles Explain: ws to Blace Greene Can I then to t timate): that apply er, Explain sloughing	s from tributs fro	tary to TNW tary to RPW ack Wash flo ene Wash, to er.	ows to Brawley W o Santa Rosa Was	
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Tributary Provides for: Ephemeral Flow Estimate average number of flow events in review area/year: Describe Flow Regime: Ephemeral Other Information on Duration and Volume: Surface Flow is: Discrete and Confined Characteristics: Subsurface Flow: No Explain: Dye (or other) test performed: Tributary Has (Check all that apply): ■ Bed and Banks	Tributary Provides for: Ephemeral F Estimate average number of flow event Describe Flow Regime: Ephe Other Information on Duration and Vo Surface Flow is: Discrete and Subsurface Flow: No	low ts in review a meral		19.	%			
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Tributary Provides for: Ephemeral Flow Estimate average number of flow events in review area/year: 2-5 Describe Flow Regime: Ephemeral Other Information on Duration and Volume: Surface Flow is: Discrete and Confined Characteristics: Subsurface Flow: No Explain: Dye (or other) test performed: Tributary Has (Check all that apply): Bed and Banks	Tributary Provides for: Ephemeral F Estimate average number of flow event Describe Flow Regime: Ephe Other Information on Duration and Vo Surface Flow is: Discrete and Subsurface Flow: No	ts in review a meral	area/year:					
Tributary Provides for: Ephemeral Flow Estimate average number of flow events in review area/year: 2-5 Describe Flow Regime: Ephemeral Other Information on Duration and Volume: Surface Flow is: Discrete and Confined Characteristics: Subsurface Flow: No Explain: Dye (or other) test performed: Tributary Has (Check all that apply): Bed and Banks	Tributary Provides for: Ephemeral F Estimate average number of flow event Describe Flow Regime: Ephe Other Information on Duration and Vo Surface Flow is: Discrete and Subsurface Flow: No	ts in review a meral	area/year:					
Describe Flow Regime: Ephemeral Other Information on Duration and Volume: Surface Flow is: Discrete and Confined Characteristics: Subsurface Flow: No Explain: □ Dye (or other) test performed: Tributary Has (Check all that apply): ✓ Bed and Banks	Describe Flow Regime: Ephel Other Information on Duration and Vo Surface Flow is: Discrete and Subsurface Flow: No	meral	area/year:					
Other Information on Duration and Volume: Surface Flow is: Discrete and Confined Characteristics: Subsurface Flow: No Explain: Dye (or other) test performed: Tributary Has (Check all that apply): Bed and Banks	Other Information on Duration and Vo Surface Flow is: Discrete and Subsurface Flow: No				2-5			
Surface Flow is: Discrete and Confined Characteristics: Subsurface Flow: No Explain: Dye (or other) test performed: Tributary Has (Check all that apply): ✓ Bed and Banks	Surface Flow is: Subsurface Flow: No							
Subsurface Flow: Dye (or other) test performed: Tributary Has (Check all that apply): Bed and Banks	Subsurface Flow: No							
☐ Dye (or other) test performed: Tributary Has (Check all that apply): ✓ Bed and Banks		Confined	Character	istics:				
Tributary Has (Check all that apply): ✓ Bed and Banks	\Box Dye (or other) test performed:		Explain:					
✓ Bed and Banks								
✓ Bed and Banks								
		VM Indicato	rs:					
 □ Clear, natural line impressed on the bank ☑ Changes in soil character □ Destruction of terrestrial vegetation □ Presence of wrack line ☑ Vegetation matted down, bent or absent □ Leaf litter disturbed or washed away ☑ Sediment deposition □ Multiple observed or predicted flow events □ Water staining □ Abrupt change in plant community 	 Changes in soil character Shelving Vegetation matted down, bent Leaf litter disturbed or washed 	or absent		Destruc Presenc Sedime Scour Multiple	ction of terroce of wrack ent sorting le observed	restrial veger line or predicted	d flow events	

Feature ID: I

If factors other than the OHWN were used to	determine lateral extent of CWA jurisdiction (Check all that apply)
☐ High tide line indicated by:	☐ Mean High water Mark indicated by:
\square oil or scum line along shore objec	sts survey to available datum
\Box fine shell or debris deposits (fores	shore)
\square physical markings/characteristics	\square vegetation lines/changes in vegetation types
\square tidal gauges	
\square other	
iii) Chemical Characteristics:	
	r, discolored, oily film; water quality; general watershed characteristics, e
Explain:	
Identify Specific Pollutants, if known:	
iv) Biological Characteristics. Channel supports (ch	eck all that apply):
Riparian Corridor Characteristics:	
☐ Wetland Fringe Characteristics:	
Habitat for:	
Federally Listed Species Explain find	
☐ Fish/Spawn Areas Explain find	
Other environmentally -sensitive species	Explain findings:
Aquatic/Wildlife diversity Explain:	
Properties: Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain:	
Project Wetlands Cross or Serve as State Bou	ndaries, Explain:
(b) General Flow Relationship with Non-TNW:	
Wetland Flow is:	Explain:
	•
Surface Flow is:	
Characteristics:	
Subsurface Flow: Ex	plain Findings:
(c) Wetland Adjacency Determination with Non	Thua/.
(c) Wetland Adjacency Determination with Non ☐ Wetland Directly Abutting Non-TNW	-11VV.
☐ Wetland Not Directly Abutting Non-TNW	
☐ Discrete wetland hydrologic connect	
Ecological connection Explain:	Lori Expiditi.
	lain:
Separated by bernit barrier EXP	IUIII.
(d) Proximity (Relationship) to TNW	
Project Wetlands: River Miles from TNW:	

2.

Project Wetlands: Aerial Miles from TNW:

Feature ID: I

Flow is From:	
Estimate approximate Location of Wetland v	within Floodplain:
(ii) Chemical Characteristics:	
characteristics: ect.).	ear, brown, oil film on surface; water quality; general watershed
Explain Identify specific pollutants, if know:	
(iii) Biological Characteristics. Wetland supports (chec	ck all that apply):
Riparian Buffer Characteristics (type, average)	
Uegetation 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 tributa	ary (if any)
All wetland(s) being considered in cumulative analy	sis:
Wetland acres in total being considered in cumulati	

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: I

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act.

TNW. Explain fi of its adiacent v	ndings of presen welands. then go	nce or abs to Section	sence of si onIII.D:	gnificant ne	exus belw	o, based on th	RPW flows directly or indirectly i e tributary in combination with
_	sence of signifca		-			-	abut the RPW. Explain findings n with all of its adjacent wetland
ETERMINATION	IS OF JURISDIC	TIONAL I	FINDING	S. THE SUB	JECT WA	TERS/WETLA	ANDS ARE (CHECK ALL THAT A
1. TNWs and Ad	jacent Wetlands	. Check	all that a	oply and pro	ovide size	estimates in re	eview area:
\square TNWs	Linear Feet:			Width (ft):		TNW Acres	
☐ Wetlands a	djacent to TNWs	: Acres:					
2. RPWs that flo	ow directly or inc	directly in	ito TNWs				
☐ Tributaries	•	-		r flow year-।	ound are	jurisdictional.	Provide data and Rationale indica
	nal. Data support						cally three months each year) are rationale indicating that tributary
Provide	estimates for jui	risdiction	al waters i	n the reviev	w are (che	ck all that app	ly):
\Box Trib	utary waters	33039	9.75 Linea	ar Feet:	1.95	Width (Ft).	
\square Oth	er non-wetland v	waters:	Acres:	4.86			
3. Non-RPWs th	nat flow directly	or indired	tly into Tl	NWs.			
☐ Waterbody	-	W or an R	PW, but fl	ows directly		•	V, and it has significant nexus .c.
Provide estim	nates of jurisdiction	onal wate	rs within t	the review a	rea (chec	k all that apply	v):
	ear Feet):		Width	n (feet):		Acres:	
Length (Lin		DDW/4b.	at flow dir	اممانيم براهم	irectly int	o TNWs.	
	ectly abutting an	i KPW tha	at now an	ectly or ind	,		
4. Wetlands dir	ectly abutting and directly abut RPW			•	•		
4. Wetlands dir	directly abut RPW	V and thu	s are juris W where	dictional as tributaries t	adjacent v cypically fl	wetlands. ow year-round	I. Provide data and rationale e indicating that wetland is direct

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: I

	, ,	o
☐ Wetlands that do not	directly abut an RPW, but when considered	dered in combination with the tributary to which they
		e a significant nexus with a TNW are jurisidictional. Dat
supporting this conclu	usion is provided at Section III.C.	
Provide acreage estimate	s for jurisdictional wetland in the revie	ew area: Acres:
6. Wetlands adjacent to non	-RPWs that flow directly or indirectly	into TNWs.
	d adjacent wetlands, have a significant	n combination with the tributary to which they are adj nexus with a TNW are jurisdictional. Data supporting
Provide estimates for juri	sdictional wetland in the review area (in acres):
7. Impoundments of jurisdiction	onal waters.	
Demonstration of Jurisdiction	on:	
IICH COULD AFFECT INTERS	TATE COMMERCE	
Supporting rationale:		
Length (linear feet):	Acres:	
NON-JURISDICTIONAL WATE	RS, 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 Significa	nt Nexus:	
MBR factors (i.e., presence of n	nigratory birds, presence of endangere	area, where the sole potential basis of jurisdiction is the day agriculture of water for irrigated agriculture), using
professional judgment (check a		
<u> </u>	rivers, streams): linear feet :	width (ft):
Other Non-wetland Waters	s MBR acres:	
Wetlands MBR acres:		
Provide acreage estimates for r	non-jurisdictional waters in the review	area that do not meet the "Significant Nexus" standard
	d for jurisdiction (check all that apply):	
Non-wetland waters	linear feet (ft),	width (ft)
Other waters	acres	
	40163	

acres

☐ Wetlands

SECTION IV: DATA SOURCES

Maps, Plans, Plots or Plat Submitted by	Applicant/Consultant:	WestLand Resources, Inc.
Data Sheets Prepared/Submitted by or on	behalf of Applicant/Consul	tant
☐ Office Concurs with data sheets/deline	eation report	
☐ Office Does Not Concur with data shee	ets/delineation report	
Data Sheets Prepared by the Corps		
Corps Navigable Water Study		
US Geological Survey Hydrologic Atlas		
USGS NHD Data		
☐ USGS 8 and 12 digit HUC Maps		
<u>.</u>		
US Geological Survey Map(s) Scale an	nd Quad Name:	
San Xavier Mission and Cat Mountain		
San Xavier Mission and Cat Mountain	7.5-Minute Quadrangles	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S	7.5-Minute Quadrangles Survey Citation:	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps	7.5-Minute Quadrangles	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps	7.5-Minute Quadrangles Survey Citation:	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps	7.5-Minute Quadrangles Survey Citation: Cite Map Name:	ional Geodetic Vertical Datum of 1929)
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps:	7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nati	<u> </u>
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date):	7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nati	010
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date):	7.5-Minute Quadrangles Gurvey Citation: Cite Map Name: (Nati ESRI Online Microsoft 20 Ground Photos; June thr	010
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date): Previous Determinations File No. and	7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nati	010
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date): Previous Determinations File No. and	7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nati ESRI Online Microsoft 20 Ground Photos; June thr Date of Response Letter: etion:	010

Feature ID:	J

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

	: BACKGROUND T COMPLETION D			FD IURISDICTI	ONAL DETE	RMINATION	(ID)			
	CT OFFICE, FILE N					File No. Pen				
							8			
	AZ Cou					Feature J		`i+v	Tuccon	
State:			rish/borough			C014/		City:	Tucson	
	coordinates of site:		32.126°N	L	ong111.07	6°W				
	of nearest waterboo	•	Black Wash							
	of nearest Tradition iila River	al Navi	gable Water	(TNW) into whic	h the aquatic	resource flow	/S:			
Name o	of watershed or Hyd	drologic	Unit Code (I	HUC): 1	5050304					
✓ Chec	ck if map/diagram o	of reviev	w are and/or	potential jurisdi	ctional areas	is/are availab	le upon red	quest		
	ck if other sites (e.g			-			=	-	re recorded	d on a
diffe	rent JD form.		_	-						
. REVIEW	V PERFORMED FO	R SITE	EVALUATION	ON (CHECK AL	THAT APPL	.Y)				
☐ Offi	ce (Desk) Determin	ation.	Date:							
✓ Field	d Determination.	Date(s)	: 07/2013							
ECTION I	II: SUMMARY OF	FINDIN	NGS							
	ECTION 10 DETE			JRISDICTION						
There Are	e No "navigable y	waters	of the U.S." v	vithin Rivers and	Harbors Act	(RHA) jurisdia	rtion (as de	fined h	, 33 CFR nai	rt 329 in
mere Are	the review a		or the o.s. v	vicinii iliveis and	Harbors Act	(Mina) jurisun	ction (as ac	illica b	y 55 Ci it pai	11 323 111
\square Wat	ters subject to the ϵ	bb and	l flow of the	tide.						
\square Wat	ters are presently u	sed, or	have been u	sed in the past, o	or may be sus	ceptible for u	se to trans	ort int	erstate or fo	oreign comn
B. CWA S	SECTION 404 DET	ERMIN	NATION OF	JURISDICTION						
	Are No "waters of				VA) iurisdictio	on (as defined	l by 33 CFR	part 32	8) in the rev	view
	area		. Within Cic.	an water her (e)	vvi jarisaieti	on (as acimee	i by 33 Ci ii	puit 32	o, in the re-	VICVV
	Vaters of the U.S.			_		_				
a	a. Indicate presence TNWs (new)	e of wa	ter of U.S. in	review area (Cl	eck all the ap	oply):				
	Wetlands adjag	cent to	TNWs							
	Relatively pern	nanent	waters (RPW	s) that flow dire		tly into TNW	S			
				lirectly into TNW						
				that flow directl			roctly into	TNIVA/c		
				ctly abutting RPV nat flow directly			rectly lillo	114445		
	☐ Impoundments				or manectry r	110 114443				
		_		vaters, including	isolated wetl	ands				
k	o. Identify (estimat	e) size	of waters of	the U.S. in the r	eview area					
	Non-Wetlands w	aters		Linear Feet		Width (ft)	and/or		Acres	
	Wetlands Acres:									
	c. Limits (boundari	es) of J	urisdiction b	ased on:						
	c. Limits (boundari Ion-Regulated Wat	•								

Explain: 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.

Feature ID:	J
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		Vegetation
	Summarize rationale s	upporting determination:	
_			

2. Wetland adjacent to TN

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00162

Average Annual Rainfall (in): 10.47

Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(a) Relationship with TNW

☐ Tributary flows d ☐ Tributary flows t		tributaries before entering TNW
Project waters are	30 (or more)	river miles from TNW

Feature ID: J

Project waters	sare		river Miles	from tributa	arv to RPV	V٠		
Project waters		r more)	aerial (strai				W:	
Project waters	•	,	aerial (strai					
Project waters		e as state b	-			,		
Identify flow r	oute to TNW	Los Robles		ireene Cana	al, to Gree	ne Wash,	lows to Brawley to Santa Rosa W	
(b) General Tributa	ry Characteris	<u>tics</u>						
Tributary is: Na	atural	Explain:						
Tributary prope Average W Average De	idth (ft):	pect to top 1.43 1	of bank (est	imate):				
Average Sig	de Slopes:	3:1						
Primary tribut	ary substrate	compositio	n (check all	that apply):	:			
✓ Silts ☐ Cobble ☐ Bedroc	. Ulavei	☐ Cor te - Vegetat	ncrete tion Othe	☐ M er, Explain:	luck			
Tributary Cor	ndition/Stabili	ty [e.g., higl	hly eroding,	sloughing b	anks. Exp	lain: S	itable	
Presence of F	Run/Riffle/Poo	l Complexe	s. Explain:	Not	t Present			
Tributary Geo	ometry:	Relatively S	traight					
Tributary Gra	dient (approx	imate avera	age slope):	1%				
(c) Flow:								
Tributary Provides for:	Ephemeral Fl	ow						
Estimate average number Describe Flow Reg			area/year:		2-5			
Other Information on Du	ration and Vo	lume:						
Confere Flavois	Diamete and	C	Cla a u a at a u					
Surface Flow is:	Discrete and	Confined	Character	ISTICS:				
Subsurface Flow:	No		Explain:					
☐ Dye (or other) test	performed:							
Tributary Has (Check all t	hat apply):							
□ Bed and Banks☑ OHWM (check all the	e apply): OHW	/M Indicato	ors:					
☐ Clear, natural line ☑ Changes in soil ch ☐ Shelving ☑ Vegetation matte ☐ Leaf litter disturb ☑ Sediment deposit ☐ Water staining Other (list):	impressed or aracter d down, bent ed or washed ion	or absent		Presence Sediment Scour Multiple	on of terre of wrack I sorting observed o	estrial vego line	ed flow events	
☐ Discontinuous? Ex	plain:							

Feature ID: J

If factors other than the OHWN were used to determine lateral extent of CWA jurisdiction (Check all that apply) High tide line indicated by: ☐ Mean High water Mark indicated by: oil or scum line along shore objects □ survey to available datum fine shell or debris deposits (foreshore) physical markings physical markings/characteristics vegetation lines/changes in vegetation types ☐ tidal gauges \square other (iii) Chemical Characteristics: Characterize Tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc): Explain: 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 findings:** ☐ Fish/Spawn Areas **Explain findings:** ☐ Other environmentally -sensitive species Explain findings: Aquatic/Wildlife diversity Explain: 2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW (i) Physical Characteristics: (a) General Wetland Characteristics **Properties:** Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: (b) General Flow Relationship with Non-TNW: Wetland Flow is: Explain: Surface Flow is: Characteristics: Subsurface Flow: **Explain Findings:** (c) Wetland Adjacency Determination with Non-TNW: ☐ Wetland Directly Abutting Non-TNW □ Wetland Not Directly Abutting Non-TNW ☐ Discrete wetland hydrologic connection Explain: Ecological connection Explain: □ Separated by berm/barrier Explain: (d) Proximity (Relationship) to TNW Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Feature ID: J

Flow is From:
Estimate approximate Location of Wetland within Floodplain:
(ii) Chemical Characteristics:
Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics: ect.). Explain Identify specific pollutants, if know:
(iii) Biological Characteristics. Wetland supports (check all that apply):
Riparian Buffer Characteristics (type, average width):
☐ 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 tributary (if any)
All wetland(s) being considered in cumulative analysis:
Wetland acres in total being considered in cumulative analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: J

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act.

of its adiacout walands then a	nce or abse	ence of si	-				s directly or indirectly int ry in combination with al
of its adiacent welands, then g			40 00 DDM	h	da		DDW Fundain findings of
3. Significant nexus findings for presence or absence of significant presence or absence or absenc		-				-	-
then go to Section III.D:		,		,			, o. 1.0 aujuoene 11 en anuo,
							_ /
ETERMINATIONS OF JURISDIC	TIONAL FI	NDINGS	S. THE SUB	JECI WA	IERS/WEIL	ANDS AR	E (CHECK ALL THAT AP
1. TNWs and Adjacent Wetland	s. Check a	all that ap	oply and pro	ovide size	estimates in	review are	a:
☐ TNWs Linear Feet:			Width (ft):		TNW Acres		
☐ Wetlands adjacent to TNW	s: Acres:						
2. RPWs that flow directly or in	diractly int	o TNIMs					
-	-		. 			Dunida -	laka and Dakianala indiaak
Tributaries of TNWs where that tributary is perennial:		турісану	Tiow year-	round are	Jurisaictional	. Provide d	iata and Kationale Indicati
Tributaries of TNW where jurisdictional. Data suppor flows seasonally:						-	
Provide estimates for ju	urisdictional	- I waters i	n the review	w are (che	ck all that ap	ply):	
☐ Tributary waters		.74 Linea		-	3 Width (Ft).	,	
		Acres:	1.91		(, ,,		
_		ACIES.	1.91				
☐ Other non-wetland	waters:						
_		ly into Ti	NWs.				
Other non-wetland 3. Non-RPWs that flow directly Waterbody that is not a TN	or indirect	W, but fl	ows directl				has significant nexus
Other non-wetland 3. Non-RPWs that flow directly Waterbody that is not a TN with a TNW is jurisdictiona	or indirect IW or an RP I. Data supp	W, but floorting th	ows directl ^o	on provide	ed at section I	II.c.	has significant nexus
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Other non-wetland 3. Non-RPWs that flow directly Waterbody that is not a TN with a TNW is jurisdictiona Provide estimates of jurisdict Length (Linear Feet): 4. Wetlands directly abutting a	or indirect IW or an RP I. Data supp ional water n RPW that	PW, but floorting the swithin the Width	ows directly is conclusion the review and (feet):	on provide area (chec	ed at section I k all that app Acres:	II.c.	has significant nexus
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5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

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\square Wetlands that do not	: directly abut an	RPW, but when consid	ered in combination	with the tribu	itary to which they a
	· •	djacent wetlands, have			
supporting this concl	usion is provided	at Section III.C.	_		
Provide acreage estimate	s for jurisdiction	nal wetland in the review	v area: Acres:		
6. Wetlands adjacent to nor	n-RPWs that flov	v directly or indirectly i	nto TNWs.		
Wetlands adjacent to suc and with similarly situate conclusion is provided at	ed adjacent wetla				
Provide estimates for jur	isdictional wetla	nd in the review area (i	n acres):		
7. Impoundments of jurisdiction	onal waters.				
Demonstration of Jurisdicti	on:				
ISOLATED WATERS, INCLUDE HICH COULD AFFECT INTERS			, DEGRAPATION (on besinge	
Supporting rationale:					
Length (linear feet):	Acres				
Length (inical feet).	Acic	J.			
NON-JURISDICTIONAL WATE	ERS, INCLUDING	G WETLANDS:			
Non-Jurisdictional Waters:	Waters do no required for ju	t meet the "Significant I urisdiction.	Nexus" standard, wh	ere such a find	ding is
Explain finding of no Significa	nt Nexus:				
Provide acreage estimates for MBR factors (i.e., presence of professional judgment (check a	migratory birds, į			•	=
\square Non wetland-Waters (i.e.,	rivers, streams):	linear feet :	width (ft):		
Other Non-wetland Water	s MBR a	icres:			
☐ Wetlands MBR acres:					
Provide acreage estimates for where such a finding is require	-		rea that do not mee	et the "Significa	ant Nexus" standard,
■ Non-wetland waters		linear feet (ft),	width (ft)		
Other waters		acres	. ,		

acres

☐ Wetlands

SECTION IV: DATA SOURCES

Maps, Plans, Plots or Plat Submitted by	Applicant/Consultant:	WestLand Resources, Inc.
Data Sheets Prepared/Submitted by or on be	ehalf of Applicant/Consult	tant
☐ Office Concurs with data sheets/delineat	tion report	
☐ Office Does Not Concur with data sheets,	/delineation report	
☐ Data Sheets Prepared by the Corps		
☐ Corps Navigable Water Study		
☐ US Geological Survey Hydrologic Atlas		
USGS NHD Data		
USGS 8 and 12 digit HUC Maps		
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✓ US Geological Survey Map(s) Scale and (Ouad Name:	
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San Xavier Mission and Cat Mountain 7.		
, , , , , ,	5-Minute Quadrangles	
San Xavier Mission and Cat Mountain 7. USDA Nat'l Res Conservation Service Soil Sur	5-Minute Quadrangles	
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This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

☐ Office (Desk) Determination. Date: Field Determination. Date(s): 07/2013	SECTION I:	BACKGROU	ND INFOR	<u>MATION</u>								
State: AZ County/Parish/borough: Pima County City: Tucson State: AZ County/Parish/borough: Pima County City: Tucson Name of nearest waterbody: Black Wash Long: 111.076*W Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows:	A. REPORT	COMPLETIC	ON DATE F	OR APPROVED	JURISDI	CTION	AL DETERM	INATION	(JD)			
State: AZ	B. DISTRIC	T OFFICE, FI	LE NAME,	AND NUMBER	Los A	angeles	District, File	e No. Pen	ding			
Center coordinates of site: Lat. 32.126'N Long111.076'W Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 Check if map/dilagram of review are and/or potential jurisdictional areas is/are available upon request Check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different D form. D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) Coffice (Desk) Determination. Date: Field Determination. Date(s): 07/2013 SECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign comm B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review	C. PROJECT	LOCATION	AND BAC	KGROUND INFO	ORMATI	ON: D	rainage Fea	ture K				
Name of nearest waterbody: Black Wash Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Gila River Name of watershed or Hydrologic Unit Code (HUC): 15050304 ✓ Check if map/diagram of review are and/or potential jurisdictional areas is/are available upon request □ Check if other sites (e.g. offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different JD form. D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) □ Office (Desk) Determination. Date: ▼ Field Determination. Date(s): 07/2013 SECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. □ Waters subject to the ebb and flow of the tide. □ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign comr B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. in review area (Check all the apply): □ TNWS (new) □ Wetlands adjacent to TNWS □ Wetlands adjacent to but not directly into TNWS □ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWS □ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWS □ Indir	State:	AZ	County/Pa	rish/borough:	Pima	County				City:	Tucson	
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Gila River Name of watershed or Hydrologic Unit Code (HUC): Check if map/diagram of review are and/or potential jurisdictional areas is/are available upon request check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different JD form. D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) Office (Desk) Determination. Date: Field Determination. Date(s): Field Determination. Field Determination. Field Determination. Field Determination. Field Determination. Field Determination. Field Deter	Center c	oordinates of	site: Lat.	32.126°N		Long.	-111.076°W	I				
Name of watershed or Hydrologic Unit Code (HUC): 15050304	Name of	nearest wate	erbody:	Black Wash								
 ✓ Check if map/diagram of review are and/or potential jurisdictional areas is/are available upon request			itional Navi	gable Water (TN	W) into w	hich th	e aquatic reso	ource flow	vs:			
Check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different JD form. D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY) Office (Desk) Determination. Date: Field Determination. Date(s): 07/2013 SECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commands. B. CWA SECTION 404 DETERMINATION OF JURISDICTION There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Wetlands directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Horizontal presence of waters of the U.S. in the review area b. Identify (estimate) size of waters of the U.S. in the review area	Name of	watershed o	r Hydrologi	c Unit Code (HUC	C):	15050	0304					
Office (Desk) Determination. Date: Field Determination. Date(s): 07/2013 SECTION II: SUMMARY OF FINDINGS A. RHA SECTION 10 DETERMINATION OF JURISDICTION There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commands. There Are No "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area 1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters, including isolated wetlands b. Identify (estimate) size of waters of the U.S. in the review area	\square Check	if other sites		-	=				'-	-	are recorde	d on a
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There Are No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329 in the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign common subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign common subject. B. CWA SECTION 404 DETERMINATION OF JURISDICTION Waters of the U.S. "within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area Are No					SDICTIO	N						
1. Waters of the U.S. a. Indicate presence of water of U.S. in review area (Check all the apply): TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Non-RPWs that flow directly or indirectly into TNWs Wetlands directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters, including isolated wetlands b. Identify (estimate) size of waters of the U.S. in the review area	☐ Wate	the revers subject to ers are preser	riew area. the ebb and otly used, or DETERMII	d flow of the tide have been used	e. in the pa	st, or m	nay be suscep	tible for u	se to tra	ansport in	terstate or f	oreign commerc
a. Indicate presence of water of U.S. in review area (Check all the apply): TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that flow directly or indirectly into TNWs Non-RPWs that flow directly or indirectly into TNWs Wetlands directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters, including isolated wetlands b. Identify (estimate) size of waters of the U.S. in the review area		area		. Within Cican	vater 7 tet	. (0117.1)	janisaretron (as acmica	. 5, 55 (, it part 5	20,	
		Indicate pre TNWs (ne Wetlands Relatively Non-RPW Wetlands Wetlands Wetlands	sence of wa w) adjacent to permanent s that flow of directly ab adjacent to adjacent to nents of jur	TNWs waters (RPWs) t directly or indire- utting RPWs that but not directly non-RPWs that isdictional water	that flow of ctly into T at flow dir abutting flow directs	directly NWs ectly or RPWs tl	or indirectly indirectly int indirectly int hat flow directly into	into TNWs o TNWs ctly or indi TNWs		ito TNWs		
Non-Wetlands waters Linear Feet Width (ft) and/or Acres	b	. Identify (est	imate) size	of waters of the	U.S. in th	ne revie	w area					
		Non-Wetlan	ids waters	I	Linear Fee	et	,	Width (ft)	and/or		Acres	
Wetlands Acres:		Wetlands A	cres:									
c. Limits (boundaries) of Jurisdiction based on:	c	. Limits (bou	ndaries) of	Jurisdiction base	ed on:							
2. Non-Regulated Waters/Wetlands (check if applicable):		•	•			le)·						

✓ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined not to be jurisdictional:

Explain: 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.

Feature ID: I	K
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		Vegetation
	Summarize rationale s	upporting determination:	
2	Wetland adjacent to	TN	

2. Wetland adjacent to TN

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

Watershed Size (sq mi): 49650 Drainage Area (sq mi): 0.00077 Average Annual Rainfall (in): 10.47 Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(i) General Area Conditions:

(a) Relationship with TNV	<u>N</u>		
\Box Tributary flows (directly to	o TNW	
☐ Tributary flows	through	7	tributaries before entering TNW
Project waters are	30 (or i	more)	river miles from TNW

Feature ID: K

Project wate				
	rs are		river Miles from tributary to RPW:	
Project wate	rs are 30	(or more)	aerial (straight) miles from tributary to TNW:	
Project wate	rs are		aerial (straight) miles from tributary to RPW:	
Project wate	rs cross or s	erve as state b	boundaries. Explain:	
Identify flow	route to TN	to Los Ro	e feature K flows to Black Wash, Black Wash flows to Brawley Was obles Wash, to Greene Canal, to Greene Wash, to Santa Rosa Was Cruz Wash, and then to the Gila River.	
(b) General Tribut	ary Characto	eristics		
Tributary is:	Natural	Explain:	n:	
Average V Average D Average S	Vidth (ft): Depth (ft): ide Slopes:	3.22 1 3:1	p of bank (estimate):	
Primary tribu	itary substra	ate compositio	ion (check all that apply):	
☑ Silts ☐ Cobbl ☐ Bedro	. Ulav		oncrete	
Tributary Co	ndition/Sta	bility [e.g., hig	ghly eroding, sloughing banks. Explain: Stable	
Presence of	Run/Riffle/I	Pool Complexe	kes. Explain: Not Present	
Tributary Ge	eometry:	Relatively S	Straight	
T.:!laa		_		
Tributary Gi	adient (app	roximate aver	erage slope): 1%	
Tributary Gi	adient (app	roximate aver	erage slope): 1%	
Tributary Gr (c) Flow:	adient (app	roximate aver	erage slope): 1%	
, in the second second	Ephemera		erage slope): 1%	
(c) Flow:	Ephemera er of flow ev	al Flow		
(c) Flow: Tributary Provides for: Estimate average numbe	Ephemera er of flow ev gime: Ep	al Flow ents in review hemeral		
(c) Flow: Tributary Provides for: Estimate average numbe Describe Flow Re Other Information on D	Ephemera er of flow ev gime: Ep uration and	al Flow ents in review hemeral Volume:	w area/year: 2-5	
(c) Flow: Tributary Provides for: Estimate average numbe Describe Flow Re Other Information on D Surface Flow is:	Ephemera er of flow ev gime: Ep uration and Discrete a	al Flow ents in review hemeral	w area/year: 2-5 Characteristics:	
(c) Flow: Tributary Provides for: Estimate average numbe Describe Flow Re Other Information on D Surface Flow is: Subsurface Flow:	Ephemera er of flow ev gime: Ep uration and Discrete a	al Flow ents in review hemeral Volume: and Confined	w area/year: 2-5	
(c) Flow: Tributary Provides for: Estimate average numbe Describe Flow Re Other Information on D Surface Flow is:	Ephemera er of flow ev gime: Ep uration and Discrete a	al Flow ents in review hemeral Volume: and Confined	w area/year: 2-5 Characteristics:	
(c) Flow: Tributary Provides for: Estimate average number Describe Flow Rescribe Flow Rescriber Information on Describer Information Informatio	Ephemera er of flow events gime: Ephemeration and Discrete and No	al Flow ents in review hemeral Volume: and Confined	w area/year: 2-5 Characteristics:	
(c) Flow: Tributary Provides for: Estimate average numbe Describe Flow Re Other Information on D Surface Flow is: Subsurface Flow:	Ephemera er of flow evingime: Epuration and Discrete and No st performed that apply):	al Flow ents in review hemeral Volume: and Confined	w area/year: 2-5 Characteristics: Explain:	

Feature ID: K

If factors other than the OHWN were used to determine lateral extent of CWA jurisdiction (Check all that apply) High tide line indicated by: ☐ Mean High water Mark indicated by: oil or scum line along shore objects □ survey to available datum fine shell or debris deposits (foreshore) physical markings physical markings/characteristics vegetation lines/changes in vegetation types ☐ tidal gauges \square other (iii) Chemical Characteristics: Characterize Tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc): Explain: 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 findings:** ☐ Fish/Spawn Areas **Explain findings:** ☐ Other environmentally -sensitive species Explain findings: Aquatic/Wildlife diversity Explain: 2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW (i) Physical Characteristics: (a) General Wetland Characteristics **Properties:** Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: (b) General Flow Relationship with Non-TNW: Wetland Flow is: Explain: Surface Flow is: Characteristics: Subsurface Flow: **Explain Findings:** (c) Wetland Adjacency Determination with Non-TNW: ☐ Wetland Directly Abutting Non-TNW □ Wetland Not Directly Abutting Non-TNW ☐ Discrete wetland hydrologic connection Explain: Ecological connection Explain: □ Separated by berm/barrier Explain: (d) Proximity (Relationship) to TNW Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Feature ID: K

Flow is From:
Estimate approximate Location of Wetland within Floodplain:
(ii) Chemical Characteristics:
Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics: ect.).
Explain Identify specific pollutants if knows
Identify specific pollutants, if know:
(iii) Biological Characteristics. Wetland supports (check all that apply):
Riparian Buffer Characteristics (type, average width):
☐ 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 tributary (if any)
All wetland(s) being considered in cumulative analysis:
Wetland acres in total being considered in cumulative analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

MINATION FORM Feature ID: K

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act.

2. Significant nexus findings for n		-				•
TNW. Explain findings of presence of its adiacent welands, then go		significant ne	xus belw	o, based on t	he tributary	in combination with al
3. Significant nexus findings for water presence or absence of significant then go to Section III.D:	-				-	_
ETERMINATIONS OF JURISDICT				•		CHECK ALL THAT AP
1. TNWs and Adjacent Wetlands.	Check all that a		ovide size		eview area:	
☐ TNWs Linear Feet:		Width (ft):		TNW Acres		
\square Wetlands adjacent to TNWs:	Acres:					
2. RPWs that flow directly or indi	rectly into TNWs	;				
☐ Tributaries of TNWs where to that tributary is perennial:	ributaries typicall	ly flow year-r	ound are	jurisdictional	Provide dat	a and Rationale indicat
Tributaries of TNW where tri jurisdictional. Data supportin flows seasonally:					-	
Provide estimates for juri	sdictional waters	in the reviev	v are (che	ck all that app	oly):	
☐ Tributary waters	16478.57 Line	ear Feet:	3.22	Width (Ft).		
Other non-wetland wa	aters: Acres:	3.99				
3. Non-RPWs that flow directly o	r indirectly into 1	ΓNWs.				
☐ Waterbody that is not a TNW with a TNW is jurisdictional. [or an RPW, but	flows directly		-		s significant nexus
Provide estimates of jurisdiction						
<u> </u>	\ A /: -la			A		
Length (Linear Feet):	wiat	th (feet):		Acres:		
			irectly in			
Length (Linear Feet): 4. Wetlands directly abutting an	RPW that flow di	irectly or ind	-	to TNWs.		
Length (Linear Feet):	RPW that flow di and thus are juring ang an RPW where	irectly or indissible solution as a tributaries tribut	adjacent ypically f	to TNWs. wetlands. ow year-roun		

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: K

	nilarly situated ad	jacent wetlands, have		ith the tributary to which they are n a TNW are jurisidictional. Data
Provide acreage estimate			w area: Acres:	
6. Wetlands adjacent to non	-RPWs that flow	directly or indirectly i	nto TNWs.	
	d adjacent wetlar			tributary to which they are adjacent jurisdictional. Data supporting this
Provide estimates for juri	sdictional wetlan	d in the review area (i	n acres):	
7. Impoundments of jurisdiction	onal waters.			
Demonstration of Jurisdicti	on:			
Supporting rationale: Length (linear feet): F. NON-JURISDICTIONAL WATE Non-Jurisdictional Waters:		WETLANDS:	Nexus" standard, wher	e such a finding is
Non-Jungaictional Waters.	required for jur	_	vexus standard, when	e such a finding is
Explain finding of no Significa	nt Nexus:			
	nigratory birds, pr			tential basis of jurisdiction is the for irrigated agriculture), using best
\square Non wetland-Waters (i.e.,	rivers, streams):	linear feet :	width (ft):	
Other Non-wetland Waters	s MBR ac	res:		
☐ Wetlands MBR acres:				
Provide acreage estimates for r where such a finding is require	-		rea that do not meet t	he "Significant Nexus" standard,
☐ Non-wetland waters		linear feet (ft),	width (ft)	
Other waters		acres		

acres

☐ Wetlands

Feature ID: K

SECTION IV: DATA SOURCES

Additional Comments to Support JD:

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below): ✓ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc. ✓ Data Sheets Prepared/Submitted by or on behalf of Applicant/Consultant Office Concurs with data sheets/delineation report ☐ Office Does Not Concur with data sheets/delineation report ☐ Data Sheets Prepared by the Corps ☐ Corps Navigable Water Study ☐ US Geological Survey Hydrologic Atlas ☐ USGS NHD Data USGS 8 and 12 digit HUC Maps ✓ US Geological Survey Map(s) Scale and Quad Name: San Xavier Mission and Cat Mountain 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/FIRM Maps: ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929) ✓ Aerial Photographs (Name and Date): ESRI Online Microsoft 2010 ✓ Other Photographs (Name and Date): Ground Photos; June through July 2013 Previous Determinations File No. and Date of Response Letter: ☐ Applicable/Supporting Case Law Citation: ☐ Applicable/Supporting Scientific Literature Citation: Other Information, Please Specify:

Feature ID:	L

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: I	BACKGROUND INFOR	RMATION						
A. REPORT	COMPLETION DATE F	OR APPROVED	JURISDICTION	AL DETERMI	NATION (JD)			
B. DISTRICT	OFFICE, FILE NAME,	AND NUMBER	Los Angeles	District, File	No. Pending			
C. PROJECT	LOCATION AND BAC	KGROUND INFO	ORMATION: D	rainage Feat	ure L			
State:	AZ County/P	arish/borough:	Pima County			City:	Tucson	
Center co	oordinates of site: Lat.	32.126°N	Long.	-111.076°W				
Name of	nearest waterbody:	Black Wash						
	nearest Traditional Nav a River	igable Water (TN	W) into which the	e aquatic reso	urce flows:			
Name of	watershed or Hydrologi	c Unit Code (HUC	C): 15050	304				
\square Check	if map/diagram of revient if other sites (e.g, offsitent JD form.	-	=		-	=	are recorded on a	
D. REVIEW	PERFORMED FOR SIT	E EVALUATION	(CHECK ALL TH	AT APPLY)				
☐ Office	e (Desk) Determination.	Date:						
✓ Field I	Determination. Date(s	s): 07/2013						
	SUMMARY OF FINDI							
A. RHA SE	CTION 10 DETERMIN	ATION OF JURIS	SDICTION					
☐ Water	the review area. rs subject to the ebb an rs are presently used, of	d flow of the tide r have been used	in the past, or m				oy 33 CFR part 329 in	
	re No "waters of the U.			iurisdiction (a	s defined by 33 (CFR part 3	28) in the review	
	area	o. Within olean		janisaretron (a	o definied by 55 c	or it part 5	zo, in the review	
	iters of the U.S.	-t	:	المسمع علم الم	_			
a. [[[[[[Indicate presence of war TNWs (new) Wetlands adjacent to Relatively permanent Non-RPWs that flow Wetlands directly ab Wetlands adjacent to Wetlands adjacent to Impoundments of juil Isolated (interstate o	o TNWs t waters (RPWs) t directly or indirect outting RPWs that b but not directly o non-RPWs that risdictional water	hat flow directly ctly into TNWs t flow directly or abutting RPWs the flow directly or ins	or indirectly in indirectly into nat flow direct directly into T	nto TNWs TNWs lly or indirectly in NWs	nto TNWs		
b.	Identify (estimate) size	of waters of the	U.S. in the revie	w area				
	Non-Wetlands waters	l	inear Feet	V	Vidth (ft) and/or		Acres	
	Wetlands Acres:							
c.	Limits (boundaries) of	Jurisdiction base	d on:					
	n-Regulated Waters/W							
	otentially jurisdictional	-		ssed within th	e review area an	d determ	ined not to be iurisdi	iction

Explain: 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

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		☐ Vegetation
	Summarize rationale s	upporting determination:	

2. Wetland adjacent to TN

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed Size (sq mi): 49650

Drainage Area (sq mi): 0.00058

Average Annual Rainfall (in): 10.47

Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(a) Relationship with TNW

☐ Tributary flows directly to TNW☐ Tributary flows through 7		tributaries before entering TNW
Project waters are	30 (or more)	river miles from TNW

Feature ID: L

Project waters are		river Miles from tributary to RPW:
Project waters are	30 (or more)	aerial (straight) miles from tributary to TNW:
Project waters are		aerial (straight) miles from tributary to RPW:
Project waters cros	ss or serve as state	boundaries. Explain:
Identify flow route	to Los R	e feature L flows to Black Wash, Black Wash flows to Brawley Wash, obles Wash, to Greene Canal, to Greene Wash, to Santa Rosa Wash, a Cruz Wash, and then to the Gila River.
(b) General Tributary Ch	<u>aracteristics</u>	
Tributary is: Natura	l Explaii	n:
Tributary properties Average Width Average Depth	(ft): 1.58	pp of bank (estimate):
Average Side Sl	opes: 3:1	
Primary tributary s	ubstrate composit	ion (check all that apply):
✓ Silts ☐ Cobbles ☐ Bedrock	Gravel	oncrete
Tributary Condition	n/Stability [e.g., h	ighly eroding, sloughing banks. Explain: Stable
Presence of Run/F	Riffle/Pool Comple	xes. Explain: Not Present
Tributary Geomet		•
Tributary Gradien	t (approximate ave	erage slope): 1%
(c) Flow:		
•	emeral Flow	
Estimate average number of fl Describe Flow Regime:	ow events in revie	w area/year: 2-5
Other Information on Duratio	n and Volume:	
Surface Flow is: Disc	rete and Confined	Characteristics:
Subsurface Flow: No		Explain:
\square Dye (or other) test perf	ormed:	
Tributary Has (Check all that a	innly).	
☐ Bed and Banks	,pp.y/.	
✓ OHWM (check all the app	oly): OHWM Indica	tors:
☐ Clear, natural line imp ☐ Changes in soil charact ☐ Shelving ☐ Vegetation matted do ☐ Leaf litter disturbed or ☐ Sediment deposition ☐ Water staining Other (list):	ter wn, bent or absen washed away	Destruction of terrestrial vegetationPresence of wrack line
☐ Discontinuous? Explair	n:	

Feature ID: L

If factors other than the OHWN were used to	determine lateral extent of CWA jurisdiction (Check all that apply)
☐ High tide line indicated by:	☐ Mean High water Mark indicated by:
\square oil or scum line along shore objec	sts survey to available datum
\Box fine shell or debris deposits (fores	shore)
\square physical markings/characteristics	\square vegetation lines/changes in vegetation types
\square tidal gauges	
\square other	
iii) Chemical Characteristics:	
	r, discolored, oily film; water quality; general watershed characteristics, e
Explain:	
Identify Specific Pollutants, if known:	
iv) Biological Characteristics. Channel supports (ch	eck all that apply):
Riparian Corridor Characteristics:	
☐ Wetland Fringe Characteristics:	
Habitat for:	
Federally Listed Species Explain find	
☐ Fish/Spawn Areas Explain find	
Other environmentally -sensitive species	Explain findings:
Aquatic/Wildlife diversity Explain:	
Properties: Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain:	
Project Wetlands Cross or Serve as State Bou	ndaries, Explain:
(b) General Flow Relationship with Non-TNW:	
Wetland Flow is:	Explain:
	•
Surface Flow is:	
Characteristics:	
Subsurface Flow: Ex	plain Findings:
(c) Wetland Adjacency Determination with Non	Thua/.
(c) Wetland Adjacency Determination with Non ☐ Wetland Directly Abutting Non-TNW	-11VV.
☐ Wetland Not Directly Abutting Non-TNW	
☐ Discrete wetland hydrologic connect	
Ecological connection Explain:	Lori Expiditi.
	lain:
Separated by bernit barrier EXP	IUIII.
(d) Proximity (Relationship) to TNW	
Project Wetlands: River Miles from TNW:	

2.

Project Wetlands: Aerial Miles from TNW:

Feature ID: L

Flow is From:	
Estimate approximate Location of Wetland	within Floodplain:
(ii) Chemical Characteristics:	
characteristics: ect.).	lear, brown, oil film on surface; water quality; general watershed
Explain Identify specific pollutants, if know:	
(iii) Biological Characteristics. Wetland supports (che	ck all that apply):
Riparian Buffer Characteristics (type, aver	rage width):
☐ 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 tribut	ary (if any)
All wetland(s) being considered in cumulative analy	/sis:
Wetland acres in total being considered in cumulat	ive analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: L

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the

	physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act.
TNW. Explain fi	exus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into indings of presence or absence of significant nexus belwo, based on the tributary in combination with all welands. then go to SectionIII.D:
_	exus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain findings of sence of signifcant nexus below, based on the tributary in combination with all of its adjacent wetlands, ion III.D:
	NS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APP
	ljacent Wetlands. Check all that apply and provide size estimates in review area:
☐ TNWs	Linear Feet: Width (ft): TNW Acres
\square Wetlands a	adjacent to TNWs: Acres:
2. RPWs that flo	ow directly or indirectly into TNWs
	s of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale indicating ary is perennial:
	s of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are nal. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary onally:
Provide	e estimates for jurisdictional waters in the review are (check all that apply):
☐ Trib	outary waters 19827.95 Linear Feet: 1.58 Width (Ft).
\square Oth	ner non-wetland waters: Acres: 2.36
3 Non-RDWs th	nat flow directly or indirectly into TNWs.
☐ Waterbody	that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has significant nexus V is jurisdictional. Data supporting this conclusion provided at section III.c.
	nates of jurisdictional waters within the review area (check all that apply):
Length (Lin	near Feet): Width (feet): Acres:
4. Wetlands dir	ectly abutting an RPW that flow directly or indirectly into TNWs.
☐ Wetlands	directly abut RPW and thus are jurisdictional as adjacent wetlands.
☐ Wetlar indicat	ands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale ting that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly and RPW:
is seaso	onds directly abutting an RPW where tributaries typically flow "Seasonally". Provide data indicating that tributional in Section III.B and rationale in Section III.D.2 above. Provide rationale indicating that wetland is directly and RPW
	eage estimates for jurisdictional wetland in the review area: Acres

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: L

Supporting this conci	milarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data lusion is provided at Section III.C.
	es for jurisdictional wetland in the review area: Acres:
	n-RPWs that flow directly or indirectly into TNWs.
☐ Wetlands adjacent to su	ch waters, and have when considered in combination with the tributary to which they are adjacer ed adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this
Provide estimates for jur	risdictional wetland in the review area (in acres):
7. Impoundments of jurisdicti	ional waters.
Demonstration of Jurisdict	ion:
Length (linear feet): . NON-JURISDICTIONAL WAT	Acres: ERS, INCLUDING WETLANDS:
Non-Jurisdictional Waters:	Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.
	required for jurisdiction.
Non-Jurisdictional Waters: Explain finding of no Signification Provide acreage estimates for	required for jurisdiction. ant Nexus: non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the migratory birds, presence of endangered species, use of water for irrigated agriculture), using bes
Non-Jurisdictional Waters: Explain finding of no Signification Provide acreage estimates for MBR factors (i.e., presence of the second secon	required for jurisdiction. ant Nexus: non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the migratory birds, presence of endangered species, use of water for irrigated agriculture), using bes all that apply):
Non-Jurisdictional Waters: Explain finding of no Signification Provide acreage estimates for MBR factors (i.e., presence of a professional judgment (check a professional judgment)	required for jurisdiction. ant Nexus: non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the migratory birds, presence of endangered species, use of water for irrigated agriculture), using bes all that apply): rivers, streams): linear feet: width (ft):
Non-Jurisdictional Waters: Explain finding of no Signification Provide acreage estimates for MBR factors (i.e., presence of a professional judgment (check a large of the control of the	required for jurisdiction. ant Nexus: non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the migratory birds, presence of endangered species, use of water for irrigated agriculture), using besall that apply): rivers, streams): linear feet: width (ft): rs MBR acres:
Non-Jurisdictional Waters: Explain finding of no Signification Provide acreage estimates for MBR factors (i.e., presence of a professional judgment (check a large of the Non wetland-Waters (i.e., Other Non-wetland Water Wetlands MBR acres: Provide acreage estimates for	required for jurisdiction. ant Nexus: non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the migratory birds, presence of endangered species, use of water for irrigated agriculture), using bes all that apply): rivers, streams): linear feet: width (ft): rs MBR acres:
Non-Jurisdictional Waters: Explain finding of no Signification Provide acreage estimates for MBR factors (i.e., presence of a professional judgment (check a large of the Non wetland-Waters (i.e., Other Non-wetland Water Wetlands MBR acres: Provide acreage estimates for	required for jurisdiction. ant Nexus: non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the migratory birds, presence of endangered species, use of water for irrigated agriculture), using best all that apply): rivers, streams): linear feet: width (ft): rs MBR acres: non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard,

acres

☐ Wetlands

SECTION IV: DATA SOURCES

Maps, Plans, Plots or Plat Submitted by	Applicant/Consultant:	WestLand Resources, Inc.
Data Sheets Prepared/Submitted by or on	behalf of Applicant/Consul	tant
☐ Office Concurs with data sheets/deline	eation report	
☐ Office Does Not Concur with data shee	ets/delineation report	
Data Sheets Prepared by the Corps		
Corps Navigable Water Study		
US Geological Survey Hydrologic Atlas		
USGS NHD Data		
☐ USGS 8 and 12 digit HUC Maps		
<u>.</u>		
US Geological Survey Map(s) Scale an	nd Quad Name:	
San Xavier Mission and Cat Mountain		
San Xavier Mission and Cat Mountain	7.5-Minute Quadrangles	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S	7.5-Minute Quadrangles Survey Citation:	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps	7.5-Minute Quadrangles	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps	7.5-Minute Quadrangles Survey Citation:	
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps	7.5-Minute Quadrangles Survey Citation: Cite Map Name:	ional Geodetic Vertical Datum of 1929)
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps:	7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nati	<u> </u>
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date):	7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nati	010
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date):	7.5-Minute Quadrangles Gurvey Citation: Cite Map Name: (Nati ESRI Online Microsoft 20 Ground Photos; June thr	010
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date): Previous Determinations File No. and	7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nati	010
San Xavier Mission and Cat Mountain USDA Nat'l Res Conservation Service Soil S National Wetlands Inventory Maps State/Local Wetland Inventory Maps FEMA/FIRM Maps: 100-year Floodplain Elevation is: Aerial Photographs (Name and Date): Other Photographs (Name and Date): Previous Determinations File No. and	7.5-Minute Quadrangles Survey Citation: Cite Map Name: (Nati ESRI Online Microsoft 20 Ground Photos; June thr Date of Response Letter: etion:	010

Feature ID:	М

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

<u>SECTION I: BACKGROUND INFORMATION</u> A. REPORT COMPLETION DATE FOR APPROVED J	URISDICTIONAL DETERMINAT	TION (JD)	
B. DISTRICT OFFICE, FILE NAME, AND NUMBER	Los Angeles District, File No		
C. PROJECT LOCATION AND BACKGROUND INFO	-		
State: AZ County/Parish/borough:	Pima County	City:	Tucson
	•	City.	Tucson
Center coordinates of site: Lat. 32.126°N	Long111.076°W		
Name of nearest waterbody: Name of nearest Traditional Navigable Water (TNW Gila River	/) into which the aquatic resource	e flows:	
Name of watershed or Hydrologic Unit Code (HUC)	: 15050304		
✓ Check if map/diagram of review are and/or pote		vailable upon request	
Check if other sites (e.g, offsite mitigation sites, of different JD form.	disposal sites, etc) are associate	ed with this action and	are recorded on a
D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY)		
Office (Desk) Determination. Date:			
✓ Field Determination. Date(s): 07/2013			
A. RHA SECTION 10 DETERMINATION OF JURISIT There Are No "navigable waters of the U.S." within the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in	n Rivers and Harbors Act(RHA) ju n the past, or may be susceptible	·	
B. CWA SECTION 404 DETERMINATION OF JURI		f: 11 00 050	20):
There Are No "waters of the U.S." within Clean W	ater Act (CWA) jurisdiction (as de	efined by 33 CFR part 3	(28) in the review
1. Waters of the U.S.			
a. Indicate presence of water of U.S. in revier TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) th Non-RPWs that flow directly or indirect Wetlands directly abutting RPWs that Wetlands adjacent to but not directly a Wetlands adjacent to non-RPWs that I wetlands adjacent to non-RPWs that I Impoundments of jurisdictional waters I Isolated (interstate or intrastate) water	at flow directly or indirectly into ly into TNWs flow directly or indirectly into TN butting RPWs that flow directly o ow directly or indirectly into TNW	IWs or indirectly into TNWs	
b. Identify (estimate) size of waters of the L	J.S. in the review area		
		th (ft) and/or	Acres
Wetlands Acres:			
Trettarias / teres.			
c. Limits (boundaries) of Jurisdiction based	on:		

Explain: 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.

Feature ID:	М
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		Vegetation
	Summarize rationale s	upporting determination:	
2.	Wetland adjacent to	TN	

Summarize rationale supporting conclusion that wetland is "adjacent"

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

?

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

Watershed Size (sq mi): Drainage Area (sq mi): Average Annual Rainfall (in): 49650 0.00009 10.47 Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(i) General Area Conditions:

(a) Relationship with TNV	<u>v</u>		
\Box Tributary flows \circ	directly to	WNT o	
☐ Tributary flows t	hrough	7	tributaries before entering TNW
Project waters are	30 (or r	more)	river miles from TNW

Feature ID: M

Project water	rs are		river Miles	from tri	butary to	RPW:	
Project water	rs are 3	30 (or more)	aerial (stra	ight) mil	es from tr	ibutary to ⁻	TNW:
Project water	rs are		aerial (stra	ight) mil	es from tr	ibutary to I	RPW:
Project water	rs cross or	serve as state b	oundaries.	Explair	ո։		
Identify flow	route to T	to Los Rol		o Green	e Canal, to	o Greene V	ash flows to Brawley Wash, Vash, to Santa Rosa Wash,
(b) General Tributa	ry Charac	teristics					
Tributary is: N	latural	Explain:					
Tributary prop Average W Average D	/idth (ft):	respect to top 1.67 1	of bank (es	timate):			
Average Si	ide Slopes	: 3:1					
Primary tribu	tary subst	rate compositio	n (check all	that ap	ply):		
✓ Silts ☐ Cobble ☐ Bedroe	. 🖭 😘		ncrete tion Othe	er, Expla	Muck		
Tributary Co		ability [e.g., hig		sloughi	ng banks.	Explain:	Stable
•	-	/Pool Complexe	,	•	Not Prese	•	
Tributary Ge		Relatively S	•				
•	=	proximate avera			1%		
•							
(c) Flow:							
Tributary Provides for:	Epheme	ral Flow					
Estimate average numbe Describe Flow Reg	r of flow e		area/year:		2-5		
Other Information on Du		<u> </u>					
Surface Flow is:	Discrete	and Confined	Character	istics:			
Subsurface Flow:	No		Explain:				
\square Dye (or other) tes	t performe	ed:					
Tributary Has (Chask all	that analy	Λ.					
Tributary Has (Check all	итас арргу).					
□ Bed and Banks✓ OHWM (check all the	e apply):	OHWM Indicato	ors:				
☐ Clear, natural line ☐ Changes in soil cl ☐ Shelving ☐ Vegetation matte ☐ Leaf litter disturb ☐ Sediment deposi ☐ Water staining Other (list):	naracter ed down, l oed or was	pent or absent		Destroments Prese Sedim Scour Multi	uction of t nce of wra nent sortin ple observ	ıg	vegetation licted flow events
	xplain:						
☐ Discontinuous: E	λριαιι Ι.						

Feature ID: M

If factors other than the OHWN were used to determine lateral extent of CWA jurisdiction (Check all that apply) High tide line indicated by: ☐ Mean High water Mark indicated by: oil or scum line along shore objects □ survey to available datum fine shell or debris deposits (foreshore) physical markings physical markings/characteristics vegetation lines/changes in vegetation types ☐ tidal gauges \square other (iii) Chemical Characteristics: Characterize Tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc): Explain: 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 findings:** ☐ Fish/Spawn Areas **Explain findings:** ☐ Other environmentally -sensitive species Explain findings: Aquatic/Wildlife diversity Explain: 2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW (i) Physical Characteristics: (a) General Wetland Characteristics **Properties:** Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: (b) General Flow Relationship with Non-TNW: Wetland Flow is: Explain: Surface Flow is: Characteristics: Subsurface Flow: **Explain Findings:** (c) Wetland Adjacency Determination with Non-TNW: ☐ Wetland Directly Abutting Non-TNW □ Wetland Not Directly Abutting Non-TNW ☐ Discrete wetland hydrologic connection Explain: Ecological connection Explain: □ Separated by berm/barrier Explain: (d) Proximity (Relationship) to TNW Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Feature ID: M

Flow is From:	
Estimate approximate Location of Wetland w	thin Floodplain:
(ii) Chemical Characteristics:	
characteristics: ect.).	ar, brown, oil film on surface; water quality; general watershed
Explain Identify specific pollutants, if know:	
(iii) Biological Characteristics. Wetland supports (check	all that apply):
☐ Riparian Buffer Characteristics (type, average	ge width):
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 tributar	y (if any)
All wetland(s) being considered in cumulative analysi	s:
Wetland acres in total being considered in cumulative	e analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

APPROVED JURISDICTIONAL DETERMINATION FORM

Feature ID: M **U.S Army Cops of Engineers**

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the

TNW. Explain findings of present of its adiacent welands. then go 3. Significant nexus findings for v	ce or absen to SectionI	ice of sig	gnificant nex	us belwo	, based on th	e tributary	
presence or absence of signifcanthen go to Section III.D:		-			-		
ETERMINATIONS OF JURISDICT	IONAL FIN	IDINGS	. THE SUBJI	CT WA	ΓERS/WETLA	NDS ARE	(CHECK ALL THAT APF
1. TNWs and Adjacent Wetlands.	Check al	l that ap	ply and prov	ide size e	estimates in re	eview area:	
☐ TNWs Linear Feet:		,	Width (ft):		TNW Acres		
☐ Wetlands adjacent to TNWs:	Acres:						
2. RPWs that flow directly or ind	irectly into	TNWs					
Tributaries of TNWs where t	-		flow year-ro	und are j	urisdictional.	Provide dat	a and Rationale indicati
Tributaries of TNW where tr jurisdictional. Data supporti flows seasonally:							
Provide estimates for jur	isdictional	waters ir	the review	are (chec	k all that app	ly):	
\Box Tributary waters	15733.2	5 Linea	r Feet:	1.67	Width (Ft).		
\Box Other non-wetland w	aters:	Acres:	1.98				
3. Non-RPWs that flow directly o	or indirectly	ı into TN	lWs.				
Waterbody that is not a TNW with a TNW is jurisdictional.	V or an RPV	V, but flo	ows directly o		-		s significant nexus
Provide estimates of jurisdictio	nal waters	within tl	ne review are	ea (check	all that apply	'):	
<u> </u>		Width	(feet).		Acres:		
Length (Linear Feet):			(icci).				
Length (Linear Feet): 4. Wetlands directly abutting an	RPW that			ectly into	TNWs.		
_		flow dire	ectly or indir	-			
4. Wetlands directly abutting an	and thus a	flow dire re jurisd where t	ectly or indir	djacent w	vetlands. w year-round		

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: M

	-			on with the tributary to which they are s with a TNW are jurisidictional. Data
supporting this conclu		=	_	
Provide acreage estimate	s for jurisdiction	al wetland in the revie	ew area: Acres:	
6. Wetlands adjacent to non	-RPWs that flow	directly or indirectly	into TNWs.	
	d adjacent wetla			n the tributary to which they are adjacer are jurisdictional. Data supporting this
Provide estimates for juri	sdictional wetlar	nd in the review area (in acres):	
7. Impoundments of jurisdiction	onal waters.			
Demonstration of Jurisdiction	on:			
Supporting rationale:	Acres			
Length (linear feet):	Acres	:		
F. NON-JURISDICTIONAL WATE	RS, INCLUDING	G WETLANDS:		
Non-Jurisdictional Waters:	Waters do not required for ju		Nexus" standard, v	where such a finding is
Explain finding of no Significa	nt Nexus:			
	nigratory birds, p			le potential basis of jurisdiction is the atter for irrigated agriculture), using bes
\square Non wetland-Waters (i.e.,	rivers, streams):	linear feet :	width (ft):	
\square Other Non-wetland Water	s MBR a	cres:		
\square Wetlands MBR acres:				
Provide acreage estimates for r where such a finding is require	-			eet the "Significant Nexus" standard,
☐ Non-wetland waters		linear feet (ft),	width (ft	
Other waters		acres		

acres

Wetlands

Feature ID: M

SECTION IV: DATA SOURCES

Additional Comments to Support JD:

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below): ✓ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc. ✓ Data Sheets Prepared/Submitted by or on behalf of Applicant/Consultant Office Concurs with data sheets/delineation report ☐ Office Does Not Concur with data sheets/delineation report ☐ Data Sheets Prepared by the Corps ☐ Corps Navigable Water Study ☐ US Geological Survey Hydrologic Atlas ☐ USGS NHD Data USGS 8 and 12 digit HUC Maps ✓ US Geological Survey Map(s) Scale and Quad Name: San Xavier Mission and Cat Mountain 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/FIRM Maps: ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929) ✓ Aerial Photographs (Name and Date): ESRI Online Microsoft 2010 ✓ Other Photographs (Name and Date): Ground Photos; June through July 2013 Previous Determinations File No. and Date of Response Letter: ☐ Applicable/Supporting Case Law Citation: ☐ Applicable/Supporting Scientific Literature Citation: Other Information, Please Specify:

Feature ID:	N

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

<u>ECTION I: BACKGROUND INFORMATION</u> A. REPORT COMPLETION DATE FOR APPROVED J	URISDICTIONA	L DETERMINATI	ON (JD)		
B. DISTRICT OFFICE, FILE NAME, AND NUMBER	Los Angeles [District, File No.	Pending		
PROJECT LOCATION AND BACKGROUND INFO			N		
State: AZ County/Parish/borough:	Pima County	amage reature		City:	Tucson
Center coordinates of site: Lat. 32.126°N		-111.076°W		City.	1463011
	Long.	-111.070 VV			
Name of nearest waterbody: Name of nearest Traditional Navigable Water (TNW Gila River	/) into which the	aquatic resource	flows:		
Name of watershed or Hydrologic Unit Code (HUC)	150503	304			
✓ Check if map/diagram of review are and/or pote		al areas is/are ava	ilahle unon	request	
☐ Check if other sites (e.g, offsite mitigation sites, of different JD form.	=			-	are recorded on a
. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THA	AT APPLY)			
Office (Desk) Determination. Date:					
✓ Field Determination. Date(s): 07/2013					
ECTION II: SUMMARY OF FINDINGS					
A. RHA SECTION 10 DETERMINATION OF JURISI	DICTION				
the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the tide. B. CWA SECTION 404 DETERMINATION OF JURI	•	y be susceptible fo	or use to tra	ansport in	terstate or foreign comme
There Are No "waters of the U.S." within Clean W	ater Act (CWA) jı	urisdiction (as defi	ned by 33 (CFR part 3	28) in the review
area 1. Waters of the U.S.					
a. Indicate presence of water of U.S. in revious TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) th Non-RPWs that flow directly or indirect Wetlands directly abutting RPWs that Wetlands adjacent to but not directly a	at flow directly o ly into TNWs flow directly or in butting RPWs tha	or indirectly into TI ndirectly into TNW at flow directly or	/s indirectly ir	nto TNWs	
 ☐ Wetlands adjacent to non-RPWs that floor ☐ Impoundments of jurisdictional waters ☐ Isolated (interstate or intrastate) water 		ted wetlands			
Impoundments of jurisdictional waters	s, including isolat				
☐ Impoundments of jurisdictional waters☐ Isolated (interstate or intrastate) water b. Identify (estimate) size of waters of the L	s, including isolat	v area	(ft) and/or		Acres
☐ Impoundments of jurisdictional waters☐ Isolated (interstate or intrastate) water b. Identify (estimate) size of waters of the L	s, including isolat	v area	(ft) and/or		Acres
☐ Impoundments of jurisdictional waters☐ Isolated (interstate or intrastate) water b. Identify (estimate) size of waters of the L Non-Wetlands waters ☐ Lin	s, including isolat J.S. in the review near Feet	v area	(ft) and/or		Acres

Explain: 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.

Feature ID:	N
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW Identify TNW:		☐ Vegetation
	Summarize rationale s	upporting determination:	
2.	Wetland adjacent to	TN	

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

Watershed Size (sq mi): Drainage Area (sq mi): Average Annual Rainfall (in): 49650 0.00020 10.47 Average Annual Snowfall (in): 1.1

(ii) Physical Characteristics:

(i) General Area Conditions:

(a) Relationship with TNV	<u>V</u>		
☐ Tributary flows of	directly to	o TNW	
☐ Tributary flows t	through	7	tributaries before entering TNW
Project waters are	30 (or	more)	river miles from TNW

Feature ID: N

Project wate	rs are		river Miles	from trib	utary to RF	PW:		
Project wate	rs are 30 (o	r more)	aerial (stra	ight) mile	s from trib	utary to TN	W:	
Project wate	rs are		aerial (stra	ight) mile	s from trib	utary to RP	W:	
Project wate	rs cross or serv	e as state b	oundaries.	Explain				
Identify flow	route to TNW	to Los Rob		o Greene	Canal, to	Greene Wa	flows to Brawle sh, to Santa Ros	-
(b) General Tributa	ary Characteris	stics						
Tributary is:		Explain:						
Tributary prop Average V Average D	Vidth (ft):	pect to top 2.00	of bank (es	timate):				
Average S	ide Slopes:	3:1						
Primary tribu	itary substrate	compositio	n (check all	that app	y):			
✓ Silts ☐ Cobble ☐ Bedro	. Ulavei		ncrete	 er, Explai	Muck			
		te - Vegetat		-				
•	ndition/Stabili		-	_	_	•	Stable	
	Run/Riffle/Poo	•	•	1	lot Present	t		
Tributary Ge	· ·	Relatively S						
Tributary Gr	adient (approx	imate avera	ige siope):	1	%			
(c) Flow:								
Tributary Provides for:	Ephemeral F							
Estimate average numbe Describe Flow Re		s in review meral	area/year:		2-5			
Other Information on D	uration and Vo	lume:						
Cumfaga Flavoia	Diagrata and	Confined	Chanasta	-i-+i				
Surface Flow is:	Discrete and	Confined	Characte	ristics:				
Subsurface Flow:	No		Explain:					
☐ Dye (or other) tes	t performed:							
Tributary Has (Check all	that annly).							
	that apply).							
☐ Bed and Banks✓ OHWM (check all the	ne apply): OHV	VM Indicato	rs:					
☐ Clear, natural lin ✔ Changes in soil c ☐ Shelving ✔ Vegetation matt ☐ Leaf litter disturl ✔ Sediment deposi ☐ Water staining Other (list):	haracter ed down, bent oed or washed	or absent	<u>0</u> 0 0 0 0	Destru Presen Sedime Scour Multip	ction of ter ce of wrack ent sorting		ed flow events	
	xplain:							
	Apidiii.							

Feature ID: N

If factors other than the OHWN were used to determi	ne lateral extent of CWA jurisdiction (Check all that apply)
☐ High tide line indicated by:	☐ Mean High water Mark indicated by:
☐ oil or scum line along shore objects	\square survey to available datum
\Box fine shell or debris deposits (foreshore)	\square physical markings
\square physical markings/characteristics	vegetation lines/changes in vegetation types
\square tidal gauges	
\square other	
iii) Chemical Characteristics:	
Characterize Tributary (e.g. water color is clear discolor	red, oily film; water quality; general watershed characteristics,
Explain:	ed, only min, water quanty, general watershed characteristics,
Identify Specific Pollutants, if known:	
iv) Biological Characteristics. Channel supports (check all th	at apply):
Riparian Corridor Characteristics:	
☐ Wetland Fringe Characteristics:	
Habitat for:	
☐ Federally Listed Species Explain findings:	
☐ Fish/Spawn Areas Explain findings:	
	Explain findings:
☐ Aquatic/Wildlife diversity Explain:	
Properties: Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain:	
Project Wetlands Cross or Serve as State Boundaries,	Explain:
(b) General Flow Relationship with Non-TNW:	
Wetland Flow is: Explain:	
Surface Flow is:	
Characteristics:	
Subsurface Flow: Explain Fin	dings:
(c) Wetland Adjacency Determination with Non-TNW:	
☐ Wetland Directly Abutting Non-TNW	
☐ Wetland Not Directly Abutting Non-TNW	
☐ Discrete wetland hydrologic connection	Explain:
Ecological connection Explain:	
Separated by berm/barrier Explain:	
Separated by Serrit Sarrier Explain.	
(d) Proximity (Relationship) to TNW	
(a) itemitely (itemetronisms) to item	

Project Wetlands: Aerial Miles from TNW:

Feature ID: N

Flow is From:
Estimate approximate Location of Wetland within Floodplain:
(ii) Chemical Characteristics:
Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics: ect.). Explain Identify specific pollutants, if know:
(iii) Biological Characteristics. Wetland supports (check all that apply):
Riparian Buffer Characteristics (type, average width):
☐ 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 tributary (if any)
All wetland(s) being considered in cumulative analysis:
Wetland acres in total being considered in cumulative analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

Feature ID: N

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the

	on-RPW and its	adjacent wet	lands, w	nere the non-l	RPW flows di	rectly or indirectly int
TNW. Explain findings of presence of its adiacent welands. then go		significant ne	xus belw	o, based on th	ne tributary ir	n combination with al
3. Significant nexus findings for v presence or absence of significant then go to Section III.D:	-					-
ETERMINATIONS OF JURISDICT				-	•	CHECK ALL THAT AP
1. TNWs and Adjacent Wetlands.	Check all that a		vide size	estimates in re	eview area:	
☐ TNWs Linear Feet:		Width (ft):		TNW Acres		
$\hfill \square$ Wetlands adjacent to TNWs:	Acres:					
2. RPWs that flow directly or indi	irectly into TNWs	;				
Tributaries of TNWs where t that tributary is perennial:	ributaries typicall	y flow year-ro	ound are	jurisdictional.	Provide data	and Rationale indicat
Tributaries of TNW where tri jurisdictional. Data supporting flows seasonally:					•	
Provide estimates for juri	sdictional waters	in the review	are (che	ck all that app	oly):	
☐ Tributary waters	2057.97 Line	ear Feet:	2	Width (Ft).		
Other non-wetland w	aters: Acres:	0.31				
	r indirectly into 1	TNWs.				
3. Non-RPWs that flow directly o	· ····································			ctly into a TNN	N, and it has	significant nexus
3. Non-RPWs that flow directly o Waterbody that is not a TNW with a TNW is jurisdictional. I		-		•	l.c.	
•	Data supporting t	his conclusion	n provide	d at section II		
Waterbody that is not a TNW with a TNW is jurisdictional.	Data supporting t	his conclusion	n provide	d at section II		
Waterbody that is not a TNW with a TNW is jurisdictional. I Provide estimates of jurisdiction	Data supporting t nal waters within Widt	his conclusion the review and th (feet):	n provide rea (chec	ed at section II k all that appl Acres:		
 Waterbody that is not a TNW with a TNW is jurisdictional. I Provide estimates of jurisdiction Length (Linear Feet): Wetlands directly abutting an 	Data supporting t nal waters within Widt RPW that flow di	his conclusion the review and th (feet):	n providerea (chec	d at section III k all that apple Acres:		
☐ Waterbody that is not a TNW with a TNW is jurisdictional. I Provide estimates of jurisdiction Length (Linear Feet):	Data supporting to nal waters within Widt RPW that flow dien and thus are juring an RPW where	the review and the feet): irectly or indicated as a set tributaries ty	n provide rea (chec rectly inta adjacent pically fl	Acres: or TNWs. wetlands. ow year-round	y): d. Provide dat	a and rationale

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Feature ID: N

☐ Wetlands that do not adjacent and with sin supporting this conclu	nilarly situated ad	jacent wetlands, h			•	•
Provide acreage estimate			eview area: A	cres:		
6. Wetlands adjacent to non	-RPWs that flow	directly or indirec	tly into TNWs.			
 Wetlands adjacent to such and with similarly situate conclusion is provided at 	ch waters, and haved	ve when considere	ed in combination		•	•
Provide estimates for jur	isdictional wetlan	d in the review are	ea (in acres):			
7. Impoundments of jurisdiction	onal waters.					
Demonstration of Jurisdicti						
E. ISOLATED WATERS, INCLUDE WHICH COULD AFFECT INTERS Supporting rationale:						
Length (linear feet):	Acres:					
F. NON-JURISDICTIONAL WATE	RS INCLUDING	WFTI ANDS:				
Non-Jurisdictional Waters:	-	meet the "Signific	ant Nexus" stan	dard, where suc	ch a finding is	
Explain finding of no Significa	nt Nexus:					
Provide acreage estimates for a MBR factors (i.e., presence of a professional judgment (check a	nigratory birds, pi			-	-	
\square Non wetland-Waters (i.e.,	rivers, streams):	linear feet :	width	n (ft):		
Other Non-wetland Water	s MBR ac	res:				
☐ Wetlands MBR acres:						
Provide acreage estimates for I where such a finding is require	-			not meet the "S	Significant Nexu	s" standard,
☐ Non-wetland waters		linear feet (ft),	wie	dth (ft)		
Other waters		acres				

acres

☐ Wetlands

Feature ID: N

SECTION IV: DATA SOURCES

Additional Comments to Support JD:

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below): ✓ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc. ✓ Data Sheets Prepared/Submitted by or on behalf of Applicant/Consultant Office Concurs with data sheets/delineation report ☐ Office Does Not Concur with data sheets/delineation report ☐ Data Sheets Prepared by the Corps ☐ Corps Navigable Water Study ☐ US Geological Survey Hydrologic Atlas ☐ USGS NHD Data USGS 8 and 12 digit HUC Maps ✓ US Geological Survey Map(s) Scale and Quad Name: San Xavier Mission and Cat Mountain 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/FIRM Maps: ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929) ✓ Aerial Photographs (Name and Date): ESRI Online Microsoft 2010 ✓ Other Photographs (Name and Date): Ground Photos; June through July 2013 Previous Determinations File No. and Date of Response Letter: ☐ Applicable/Supporting Case Law Citation: ☐ Applicable/Supporting Scientific Literature Citation: Other Information, Please Specify:

Feature ID:	0

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

DISTRICT OFFICE, FILE NAME, AND NUMBER					
	Inc Angolac	District, File No.	Danding		
PROJECT LOCATION AND BACKGROUND INFOR		rainage Feature	0		
State: AZ County/Parish/borough:	Pima County			City: To	ucson
Center coordinates of site: Lat. 32.126°N	Long.	-111.076°W			
Name of nearest waterbody: Black Wash					
Name of nearest Traditional Navigable Water (TNW Gila River) into which the	e aquatic resource	flows:		
Name of watershed or Hydrologic Unit Code (HUC):	15050	304			
✓ Check if map/diagram of review are and/or pote	ntial iurisdictio	nal areas is/are ava	ailable upon re	guest	
☐ Check if other sites (e.g, offsite mitigation sites, of different JD form.	-		•	-	recorded on a
REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL TH	ΔΤ ΔΡΡΙΥ			
Office (Desk) Determination. Date:	C.ILCK ALL III	7.1 A.1 E.1 J			
✓ Field Determination. Date(s): 07/2013					
CTION II: SUMMARY OF FINDINGS					
A. RHA SECTION 10 DETERMINATION OF JURISE	DICTION				
There Are No "navigable waters of the U.S." within the review area. Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the tide. CWA SECTION 404 DETERMINATION OF JURIS	n the past, or m				·
There Are No "waters of the U.S." within Clean Wa	ater Act (CWA)	jurisdiction (as def	fined by 33 CFR	part 328)	in the review
area 1. Waters of the U.S.		,	·		
a. Indicate presence of water of U.S. in revies TNWs (new) Wetlands adjacent to TNWs Relatively permanent waters (RPWs) that Non-RPWs that flow directly or indirectly Wetlands directly abutting RPWs that flow Wetlands adjacent to but not directly all Wetlands adjacent to non-RPWs that flow Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters	at flow directly ly into TNWs flow directly or outting RPWs th ow directly or in s, including isola	or indirectly into T indirectly into TN\ nat flow directly or idirectly into TNW ated wetlands	Ws r indirectly into	TNWs	
b. Identify (estimate) size of waters of the U			(6)		
	near Feet	Width	h (ft) and/or		Acres
Wetlands Acres:					
	on:				

Explain: 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.

Feature ID:	0
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SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatice resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	TNW		
	Identify TNW:		Vegetation
Summarize rationale	upporting determination:		
_	M/-411244-	TNI	

2. Wetland adjacent to TN

Summarize rationale supporting conclusion that wetland is "adjacent"

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY)

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

Watershed Size (sq mi): 49650 Drainage Area (sq mi): 0.00008 Average Annual Rainfall (in): 10.47

(ii) Physical Characteristics:

(i) General Area Conditions:

|--|

Average Annual Snowfall (in):

Tributary flows directly to TNW Tributary flows through 7		tributaries before entering TNW
roject waters are 30 (or more)		river miles from TNW

1.1

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Project waters are		river Miles from tributary to RPW:
Project waters are	30 (or more)	aerial (straight) miles from tributary to TNW:
Project waters are		aerial (straight) miles from tributary to RPW:
Project waters cro	ss or serve as state	boundaries. Explain:
Identify flow route	to Los Ro	e feature O flows to Black Wash, Black Wash flows to Brawley Wash, obles Wash, to Greene Canal, to Greene Wash, to Santa Rosa Wash, Cruz Wash, and then to the Gila River.
(b) General Tributary Ch	<u>aracteristics</u>	
Tributary is: Natura	l Explain	
Tributary properties Average Width Average Depth	(ft): 2.21	o of bank (estimate):
Average Side Sl	opes: 3:1	
Primary tributary s	ubstrate compositi	on (check all that apply):
✓ Silts ☐ Cobbles ☐ Bedrock	Gravel	oncrete
Tributary Condition	on/Stability [e.g., hi	ghly eroding, sloughing banks. Explain: Stable
Presence of Run/I	Riffle/Pool Complex	es. Explain: Not Present
Tributary Geomet	ry: Relatively	Straight
Tributary Gradien	t (approximate ave	rage slope): 1%
(c) Flow:		
•	emeral Flow	
Estimate average number of fl Describe Flow Regime:	ow events in reviev Ephemeral	v area/year: 2-5
Other Information on Duratio	n and Volume:	
Surface Flow is: Disc	rete and Confined	Characteristics:
Subsurface Flow: No		Explain:
\Box Dye (or other) test perf	ormed:	
Tributary Has (Check all that a	pply):	
☐ Bed and Banks✓ OHWM (check all the app	ılv): OHWM Indicat	rors:
☐ Clear, natural line imp ✓ Changes in soil charac ☐ Shelving ✓ Vegetation matted do ☐ Leaf litter disturbed or ✓ Sediment deposition ☐ Water staining Other (list):	ressed on the bank ter wn, bent or absent washed away	Presence of litter and debrisDestruction of terrestrial vegetationPresence of wrack line
Discontinuous? Explair	n:	

Feature ID: O

If factors other than the OHWN were used to determine lateral extent of CWA jurisdiction (Check all that apply) High tide line indicated by: ☐ Mean High water Mark indicated by: oil or scum line along shore objects □ survey to available datum fine shell or debris deposits (foreshore) physical markings physical markings/characteristics vegetation lines/changes in vegetation types ☐ tidal gauges \Box other (iii) Chemical Characteristics: Characterize Tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc): Explain: 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 findings:** ☐ Fish/Spawn Areas **Explain findings:** ☐ Other environmentally -sensitive species Explain findings: Aquatic/Wildlife diversity Explain: 2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW (i) Physical Characteristics: (a) General Wetland Characteristics **Properties:** Wetland Size (ac): Wetland Type, Explain: Wetland Quality, Explain: Project Wetlands Cross or Serve as State Boundaries, Explain: (b) General Flow Relationship with Non-TNW: Wetland Flow is: Explain: Surface Flow is: Characteristics: Subsurface Flow: **Explain Findings:** (c) Wetland Adjacency Determination with Non-TNW: ☐ Wetland Directly Abutting Non-TNW □ Wetland Not Directly Abutting Non-TNW ☐ Discrete wetland hydrologic connection Explain: Ecological connection Explain: □ Separated by berm/barrier Explain: (d) Proximity (Relationship) to TNW Project Wetlands: River Miles from TNW:

Project Wetlands: Aerial Miles from TNW:

Feature ID: 0

Flow is From:
Estimate approximate Location of Wetland within Floodplain:
(ii) Chemical Characteristics:
Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics: ect.). Explain Identify specific pollutants, if know:
(iii) Biological Characteristics. Wetland supports (check all that apply):
Riparian Buffer Characteristics (type, average width):
☐ 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 tributary (if any)
All wetland(s) being considered in cumulative analysis:
Wetland acres in total being considered in cumulative analysis:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

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

Draw connections between the features documented and the effects on the TNW, as identified in the Rapanos Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- ②Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to section

Drainages within the Analysis Area are characterized by highly braided channels composed of shallow, unconfined sheet flow that lack the ability to provide substantive sediment contributions or the ability to generate flows sufficient to transport sediment to the TNW. The flow characteristics of drainages, the incidence of transportation losses through percolation, the great distance (160 river miles) to the downgradient TNW and the presence of multiple constructed impediments (berms, structures, groundwater recharge basins, and agricultural fields) along the potential

downgradient flow route, vastly decrease, if not remove entirely, the possibility for a more than insubstantial hydrologic connection to exist with the downgradient TNW. The evidence presented here strongly suggests that no hydrologic connectivity exists between the Analysis Area drainages and the TNW reach of the Gila River beginning at Powers Butte, even during a 100-year, 24-hour storm event. Any existing xeroriparian habitat associated with the

Feature ID: 0

downstream TNW are not expected to be dependent on genetic, energy, or nutrient inputs from the ephemeral waters of the Analysis Area. These drainages do not have a more than a speculative or insubstantial effect on the compromised physical, chemical, and/or biological integrity of the nearest downstream TNW. Therefore a significant nexus does not exist and these drainages are not jurisdictional under Section 404 of the Clean Water Act. 2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNW. Explain findings of presence or absence of significant nexus belwo, based on the tributary in combination with all of its adiacent welands. then go to SectionIII.D: 3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY) 1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area: ☐ TNWs Linear Feet: Width (ft): **TNW Acres** ☐ Wetlands adjacent to TNWs: Acres: 2. RPWs that flow directly or indirectly into TNWs Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and Rationale indicating that tributary is perennial: \sqcup Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: Provide estimates for jurisdictional waters in the review are (check all that apply): ☐ Tributary waters 19625.75 Linear Feet: 2.21 Width (Ft). ☐ Other non-wetland waters: Acres: 3.27 3. Non-RPWs that flow directly or indirectly into TNWs. Materbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has significant nexus with a TNW is jurisdictional. Data supporting this conclusion provided at section III.c. Provide estimates of jurisdictional waters within the review area (check all that apply): Length (Linear Feet): Width (feet): Acres: 4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs. ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands. Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting and RPW: ☐ Wetlands directly abutting an RPW where tributaries typically flow "Seasonally". Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2 above. Provide rationale indicating that wetland is directly abutting and RPW

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNW

Provide acreage estimates for jurisdictional wetland in the review area:

Feature ID: O

	ilarly situated adja	acent wetlands, h			outary to which they are re jurisidictional. Data
Provide acreage estimate	s for jurisdictional	wetland in the re	view area: Acres:		
6. Wetlands adjacent to non	-RPWs that flow d	lirectly or indirec	tly into TNWs.		
 Wetlands adjacent to suc and with similarly situate conclusion is provided at 	d adjacent wetland			-	to which they are adjacent nal. Data supporting this
Provide estimates for juri	sdictional wetland	in the review are	a (in acres):		
7. Impoundments of jurisdiction	nal waters.				
Demonstration of Jurisdiction	on:				
Supporting rationale: Length (linear feet): F. NON-JURISDICTIONAL WATE			and Name II at an dead		
Non-Jurisdictional Waters:	Waters do not n required for juri		ant Nexus" standard,	where such a fi	nding is
Explain finding of no Significat	nt Nexus:				
Provide acreage estimates for r MBR factors (i.e., presence of n professional judgment (check a	nigratory birds, pre				
Non wetland-Waters (i.e., r		linear feet :	width (ft):		
☐ Other Non-wetland Waters☐ Wetlands MBR acres:	s MBR acr	es:			
Provide acreage estimates for r where such a finding is required	-			neet the "Signifi	cant Nexus" standard,
☐ Non-wetland waters	li	near feet (ft),	width (fi	t)	
☐ Other waters	a	cres			

acres

☐ Wetlands

Feature ID: O

SECTION IV: DATA SOURCES

Additional Comments to Support JD:

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below): ✓ Maps, Plans, Plots or Plat Submitted by Applicant/Consultant: WestLand Resources, Inc. ✓ Data Sheets Prepared/Submitted by or on behalf of Applicant/Consultant Office Concurs with data sheets/delineation report ☐ Office Does Not Concur with data sheets/delineation report ☐ Data Sheets Prepared by the Corps ☐ Corps Navigable Water Study ☐ US Geological Survey Hydrologic Atlas ☐ USGS NHD Data USGS 8 and 12 digit HUC Maps ✓ US Geological Survey Map(s) Scale and Quad Name: San Xavier Mission and Cat Mountain 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/FIRM Maps: ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929) ✓ Aerial Photographs (Name and Date): ESRI Online Microsoft 2010 ✓ Other Photographs (Name and Date): Ground Photos; June through July 2013 Previous Determinations File No. and Date of Response Letter: ☐ Applicable/Supporting Case Law Citation: ☐ Applicable/Supporting Scientific Literature Citation: Other Information, Please Specify: