

WETLAND DELINEATION AND VERIFICATION DOCUMENTS

Appendix C



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

APR 07 2006



By
NC 153
NC 150

Regulatory Branch

SUBJECT: File Number 29992N

Mr. Douglas P. Schleusner
Trinity River Restoration Program
P.O. Box 1300
Weaverville, California 96093

Dear Mr. Schleusner:

This letter is in response to your submittal of December 16, 2005, requesting confirmation of the extent of Corps of Engineers jurisdiction at the Indian Creek channel rehabilitation site between River Mile 96.86 downstream to River Mile 93.77 (approximately at Douglas City), along the Trinity River. The project is located at Section 1, Township 32 North, Range 10 West and Sections 4, 5, and 6, Township 33 North, Range 9 West, on the Weaverville Quadrangle, in Trinity County, California. Portions of the project site are approximately parallel to Highway 299.

Enclosed are maps showing the extent and location of Corps of Engineers jurisdiction based on a site visit performed by our staff on March 22, 2006 (Enclosure 1, Sheets 1 of 2 and 2 of 2). We have based this jurisdictional delineation on the current conditions on the site. A change in those conditions may also change the extent of our jurisdiction. This jurisdictional delineation will expire in five years from the date of this letter. However, if there has been a change in circumstances that affects the extent of Corps jurisdiction, a revision may be completed before that date.

All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps of Engineers pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. Section 1344). Waters of the United States generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

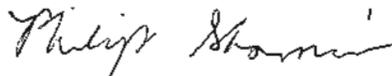
Your proposed activity is within our jurisdiction and a permit will be required for your project. Application for Corps authorization should be made to this office using the application form and instructions enclosed (Enclosure 2). The application must include plans showing the location, extent and character of the proposed activity, prepared in accordance with the requirements contained in the application instructions. You should note, in planning your project, that upon receipt of a properly completed application and plans, it may be necessary to advertise the proposed work by issuing a Public Notice for a period of 30 days.

Our Nationwide Permits and Regional General Permits have already been issued to authorize certain activities provided specified conditions are met. Your completed application will enable us to confirm that your activity is already authorized. You are advised to refrain from starting your proposed activity until we make a determination that the project is covered by an existing permit. Commencement of work before you receive our notification will be interpreted as a violation of our regulations.

You are advised that the Corps has established an Administrative Appeal Process, as described in 33 C.F.R. Part 331 (65 Fed. Reg. 16,486; March 28, 2000), and outlined in the enclosed flowchart (Enclosure 3) and "Notification of Administrative Appeal Options, Process, and Request for Appeal" form (NAO-RFA)(Enclosure 4). If you do not intend to accept the approved jurisdictional determination, you may elect to provide new information to the District Engineer for reconsideration or submit a completed NAO-RFA form to the Division Engineer to initiate the appeal process. You will relinquish all rights to appeal, unless the Corps receives new information or a completed NAO-RFA form within sixty (60) days of the date of the NAO-RFA.

Should you have any questions regarding this matter, please call David Ammerman of our Eureka Office, Regulatory Branch at 707-443-0855. Please address all correspondence to the Eureka Office, USACE, P.O. Box 4863, Eureka, California 95502, and refer to the File Number at the head of this letter.

Sincerely,



For

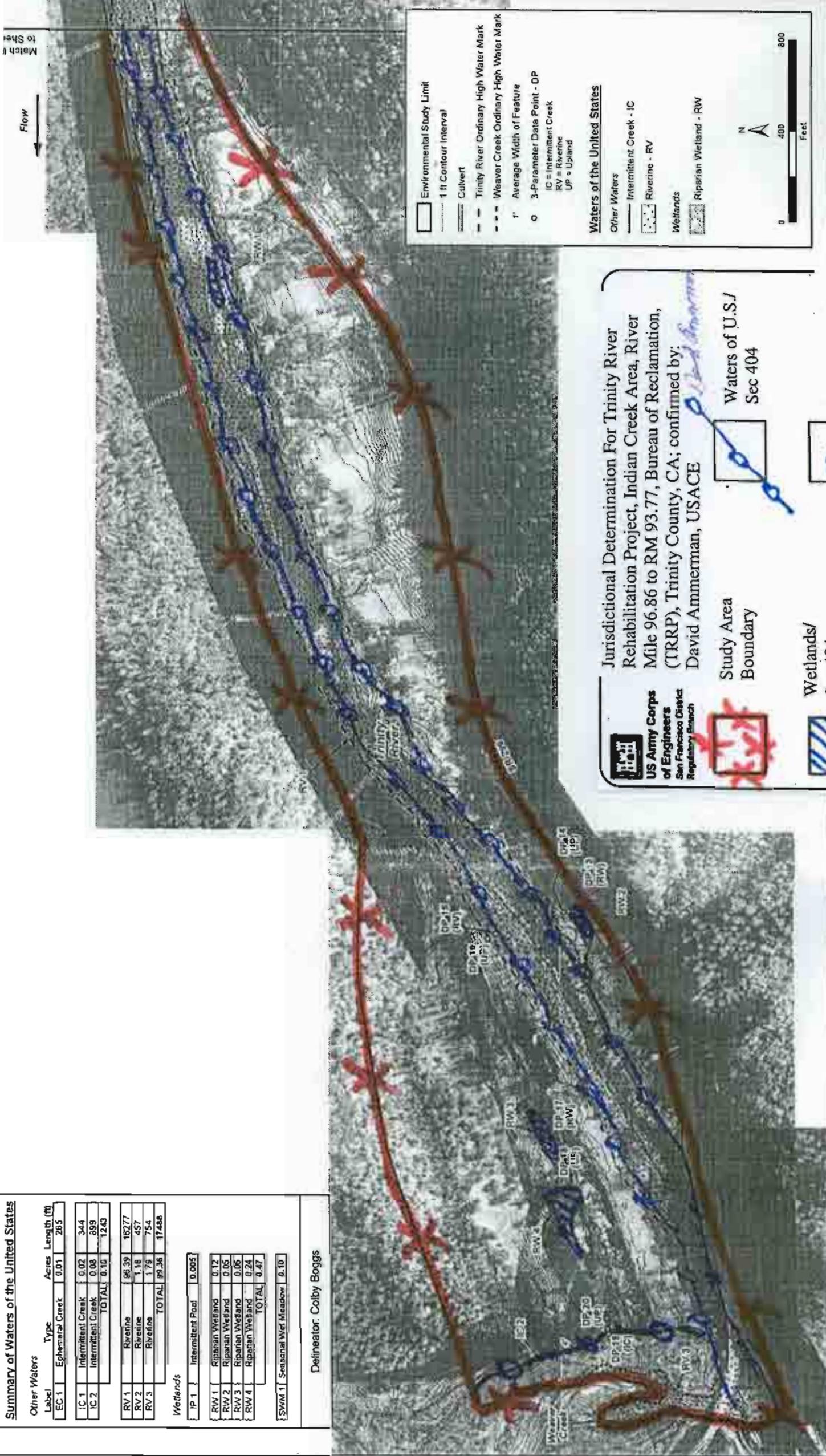
Jane M. Hicks
Chief, Regulatory Branch

Enclosures

Summary of Waters of the United States

Other Waters	Type	Acres	Length (ft)
EC 1	Ephemeral Creek	0.01	285
IC 1	Intermittent Creek	0.02	344
IC 2	Intermittent Creek	0.08	899
	TOTAL	0.10	1243
RV 1	Riverine	98.39	16277
RV 2	Riverine	1.18	457
RV 3	Riverine	1.78	754
	TOTAL	99.36	17488
Wetlands			
IP 1	Intermittent Pool	0.005	
RW 1	Riparian Wetland	0.12	
RW 2	Riparian Wetland	0.05	
RW 3	Riparian Wetland	0.06	
RW 4	Riparian Wetland	0.24	
	TOTAL	0.47	
SWM 1	Seasonal Wet Meadow	0.10	

Delineator: Colby Boggs



Jurisdictional Determination For Trinity River Rehabilitation Project, Indian Creek Area, River Mile 96.86 to RM 93.77, Bureau of Reclamation, (TRRP), Trinity County, CA; confirmed by: David Ammerman, USACE

US Army Corps of Engineers
San Francisco District
Regulatory Branch



Study Area Boundary



Waters of U.S./ Sec 404



Wetlands/ Sec 404



DP Data Points

FILE NO: 299920N

DATE: 3-29-06

Indian Creek, Delineation of Waters of the U.S.

This delineation of waters of the United States, including wetlands, is subject to verification by the U.S. Army Corps of Engineers (ACOE). NSR advises all parties to treat the information contained herein as preliminary until the ACOE provides written verification of the boundaries of their jurisdiction.

Figure 4 - Sheet 2. Boundaries of Waters of the United States Including Wetlands July, 2001

