

PRELIMINARY JURISDICTIONAL WATER DELINEATION

**JOSHUA TREE, SAN BERNARDINO COUNTY, CALIFORNIA
APN: 0605-051-01**

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Assessor's Parcel Number: 0605-051-01

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EXECUTIVE SUMMARY

RCA Associates, Inc. conducted a Jurisdictional Delineation for the approximately 80.2-acre project site identified as APN 0605-051-01 (Tract No. 20668) in unincorporated San Bernardino County, California. The purpose of the delineation was to identify and map drainage features occurring within the project site and evaluate whether those features may be subject to regulatory oversight by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or California Department of Fish and Wildlife (CDFW).

Field investigations identified two ephemeral drainage features (Feature 1 and Feature 2) within the project site, including associated secondary distributary flow paths, localized braided drainage zones, and diffuse sheet flow areas. Due to the arid ephemeral nature of the drainage system, ordinary high water mark (OHWM) indicators and channel expression were locally weak or discontinuous in portions of the site; therefore, mapped drainage limits reflect the extent of observable and defensible field indicators identified during the delineation. Approximate top of bank limits were interpreted where observable using multiple geomorphic indicators where continuous bank expression was absent.

Approximate top of bank mapping identified approximately 3.90 acres associated with Feature 1, an estimated 1.01 acres associated with secondary distributary flow paths connected to Feature 1, and approximately 39,499.7 square feet (0.91 acre) associated with Feature 2, for a total mapped and estimated drainage area of approximately 5.82 acres on site.

Based on the jurisdictional evaluation presented in this report, no Waters of the United States subject to federal jurisdiction under Section 404 of the Clean Water Act were identified within the project site based on this delineation. However, mapped drainage features may warrant consideration as potential Waters of the State subject to RWQCB review and as potential streambed resources subject to CDFW review.

Based on these findings, federal permitting from USACE is not anticipated based on this delineation. However, if impacts to mapped drainage features cannot be avoided, consultation with RWQCB and/or CDFW may be warranted to confirm permitting requirements, if any, associated with proposed impacts.

This delineation represents the professional opinion of RCA Associates, Inc. based on site-specific field observations and currently applicable regulatory criteria. Final jurisdictional determinations remain subject to agency review and concurrence.

1.0 INTRODUCTION

As part of the environmental process, a jurisdictional delineation (JD) was deemed necessary to evaluate the presence and extent of mapped drainage features and whether potential jurisdictional resources occur within the project site. The purpose of this jurisdictional delineation was to determine the location and size of any areas that may be defined as waters of the State (WOS) and waters of the U.S. (WOTUS), and to identify the centerline of any jurisdictional areas. The data collected during the field investigation for this JD was used to evaluate the presence and extent of mapped drainage features and whether potential jurisdictional resources occur within the project site. The following sections provide a summary of the data collected and the analysis performed for the proposed project.

1.1 PROPERTY DESCRIPTION

The approximately 80.2-acre project site is located in unincorporated community of Joshua Tree, San Bernardino County, California, and consists of Assessor's Parcel Number (APN 0605-051-01). The property is situated generally near the southeast corner of East Broadway and La Ferney Avenue, with frontage also associated with Sunever Road, Delaware Avenue, California Avenue, and Arizona Avenue. The site is located within Section 20, Township 1 North, Range 7 East, San Bernardino Meridian, within the Joshua Tree North Quadrangle (see Figure 1).

The project site consists of vacant desert land characterized predominantly by creosote bush scrub habitat with gently sloping topography and elevations ranging from approximately 2,473 to 2,523 feet above mean sea level. An ephemeral desert drainage system traverses the property and includes a primary drainage feature, minor secondary distributary flow paths, and localized braided and diffuse flow areas as documented during field investigations. Residential development occurs adjacent to portions of the site, with additional vacant desert lands occurring in the surrounding area. The project site and surrounding vicinity are shown in Figure 2.

1.2 PROJECT DESCRIPTION

The proposed project consists of subdivision of the approximately 80.2 -acre site into 32 residential lots ranging from approximately 2.0 to 2.6 acres, with associated internal roadways, utility infrastructure, drainage improvements, and related appurtenant features. Approximately 10.0 acres of the site are designated for right-of-way dedication associated with existing and proposed streets.

Preliminary plans indicate the project has been designed to avoid alteration of mapped drainage features to the extent practicable. An ephemeral drainage system crossing portions of the property was evaluated as part of this Jurisdictional Delineation relative to the proposed development footprint.

Construction is anticipated to occur in three phases beginning in 2026. Rough grading is planned to include approximately 13,077 cubic yards of cut and 27,320 cubic yards of fill, with an estimated net import of 14,243 cubic yards.

The jurisdictional delineation was reviewed in consideration of the currently available Tentative Tract Map and civil drainage study to evaluate the relationship between mapped drainage features and the conceptual site design. Final evaluation of any project-related impacts would depend upon final grading, utility, and drainage improvement plans.

1.3 REGULATORY OVERVIEW

Activities within streams, wetlands, and riparian areas may be subject to regulation by federal, state, and regional agencies. The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into Waters of the United States (WOTUS), including wetlands, pursuant to Section 404 of the Clean Water Act. The California Department of Fish and Wildlife (CDFW) regulates activities that substantially divert or obstruct the natural flow, or that substantially change the bed, channel, or bank of a river, stream, or lake pursuant to Fish and Game Code Section 1602. The Regional Water Quality Control Board (RWQCB) regulates discharges to Waters of the United States under Section 401 of the Clean Water Act and discharges to Waters of the State pursuant to the California Porter-Cologne Water Quality Control Act.

1.3.1 U.S. ARMY CORPS OF ENGINEERS (USACE)

The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material into Waters of the United States (WOTUS) pursuant to Section 404 of the Clean Water Act. USACE responsibilities include issuing permits and conducting jurisdictional determinations. The scope of federal jurisdiction has been influenced by U.S. Supreme Court decisions, including *Rapanos v. United States* (2006), *Carabell v. United States Army Corps of Engineers* (2006), and *Sackett v. Environmental Protection Agency* (2023). These decisions provide guidance for evaluating whether aquatic features may be subject to federal jurisdiction. This framework was applied in the assessment of aquatic resources within the project site.

1.3.2 REGIONAL WATER QUALITY CONTROL BOARD (RWQCB)

Waters of the State are defined by the California Water Code as any surface water or groundwater, including saline waters, within the boundaries of the State of California (California Water Code §13050[e]). This definition is broader than the federal Clean Water Act definition of Waters of the United States (WOTUS), and may include aquatic features that are not subject to federal jurisdiction. As such, the RWQCB may regulate discharges to WOS pursuant to the Porter-Cologne Water Quality Control Act.

1.3.3 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW)

The California Department of Fish and Wildlife (CDFW) regulates certain activities that may substantially divert or obstruct the natural flow, or substantially change the bed, channel, or bank of a river, stream, or lake pursuant to Section 1602 of the California Fish and Game Code. These activities may require a Lake or Streambed Alteration Agreement (LSAA).

The extent of CDFW jurisdiction is determined on a site-specific basis and is typically associated with the bed or banks of stream channels and, where present, adjacent riparian vegetation.

2.0 DELINEATION METHODOLOGY

A jurisdictional delineation was conducted to evaluate drainage features occurring within the project site and to assess whether those features may be subject to regulatory oversight by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or California Department of Fish and

Wildlife (CDFW). The delineation focused on identifying and mapping observable drainage features and associated indicators consistent with potential jurisdictional resources in an arid ephemeral drainage setting.

The delineation was performed using a combination of literature review, field investigation, and field mapping of observable geomorphic and hydrologic indicators. Methods were generally guided by the 1987 U.S. Army Corps of Engineers Wetlands Delineation Manual; the Arid West Regional Supplement (2008); and arid West ordinary high water mark guidance described by Lichvar and McColley 2008, as applicable to evaluation of ephemeral drainage features.

Drainage features were assessed in the field based on observable indicators including, but not limited to, ordinary high water mark (OHWM) indicators, localized bed and bank expression where present, sediment sorting, scour, depositional features, and breaks in slope. Because portions of the site exhibit multiple interlaced distributary flow paths and areas of diffuse sheet flow, field mapping focused on delineating defensible feature boundaries where observable indicators supported mapping and recognizing braided drainage zones or diffuse flow areas where continuous channel expression was absent.

Field-mapped drainage features and associated boundaries were recorded using a Juniper Systems Cedar CT8X2 GPS tablet and incorporated into project figures included in Appendix A.

2.1 LITERATURE REVIEW

A review of available background information was conducted prior to field investigations and included aerial imagery and topographic mapping. Available soils information was reviewed to the extent applicable to evaluation of arid drainage features; however, delineation of mapped drainage features was based primarily on observable geomorphic and hydrologic indicators rather than hydric soil indicators. Existing project plans, including the tentative tract map and rough grading plans provided by the applicant, were also reviewed to understand existing site conditions and the relationship of mapped drainage features to the proposed development layout.

2.2 FIELD SURVEYS

Field investigations were conducted to identify and map drainage features and evaluate observable indicators of OHWM, channel form, and associated geomorphic characteristics. Field investigations were conducted under dry conditions typical of the region. Drainage features were walked in the field and mapped based on defensible

indicators observed during the site visit. In portions of the site where multiple small channels split and rejoin or where flow transitions into diffuse sheet flow, features were mapped as braided drainage zones, secondary distributary flow paths, or diffuse sheet flow areas, as appropriate, rather than forcing continuous channel boundaries where indicators were weak or discontinuous. Representative photo documentation locations collected during field investigations are shown in Figure 7.

2.3 POTENTIAL WATERS OF THE U.S.

Federal jurisdiction over non-wetland Waters of the United States (WOTUS) generally extends to the ordinary high-water mark (OHWM). The OHWM is defined in 33 CFR §328.3 as the line on the shore established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of the soil, destruction of terrestrial vegetation, or the presence of litter and debris.

In the Arid West region of the United States, hydrologic conditions are highly variable, and drainage features commonly consist of ephemeral, intermittent, and perennial channel forms. Ordinary high-water mark delineations in arid environments are often challenging due to the episodic nature of flow events and the transient expression of traditional OHWM indicators.

Hydrology, channel-forming processes, and the distribution of OHWM indicators in desert environments are strongly influenced by climatic conditions, which can complicate delineation efforts. In low-gradient, alluvial ephemeral and intermittent channels, the OHWM is often associated with the active floodplain. As noted by Lichvar and McColley (2008), the dynamic nature of arid-region channels and the transient character of many traditional OHWM indicators may limit the reliability of individual indicators; therefore, the active floodplain is often considered one of the most consistent and repeatable features for OHWM interpretation in these environments. This conclusion is supported by subsequent research examining vegetation and channel morphology responses to ordinary high-water discharge events in arid-region stream channels (Lichvar et al. 2009).

The boundaries of drainage features within the project site were identified based on field investigations conducted by RCA Associates, Inc. The OHWM was interpreted using a combination of geomorphic, hydrologic, and vegetative indicators observed along channel banks and within channel beds. OHWM indicators were documented in most areas of the channels. During the surveys, vegetation characteristics and substrate

composition were evaluated, and the limits of the OHWM were walked and recorded using GPS. Spatial data were compiled into a Keyhole Markup Language (KML), and mapped drainage features are presented in Figures 3, 4 and 5.

3.0 DELINEATION RESULTS

Field investigations identified two ephemeral drainage features within the project site (Feature 1 and Feature 2) exhibiting characteristics associated with desert wash systems. Both features were evaluated based on observable geomorphic and hydrologic indicators, including ordinary high water mark (OHWM) indicators, localized bed and bank expression where present, sediment sorting, scour, and other indicators consistent with arid ephemeral drainage systems. No wetlands were identified within the project site. No riparian vegetation communities were identified within the mapped drainage features. Feature 1, including associated braided drainage zones, secondary distributary flow paths, and diffuse sheet flow areas, is shown in Figure 4.

FEATURE 1

Feature 1 consists of the primary drainage feature on site and trends generally northeast across the project site. The feature exhibits variable morphology, with approximate widths ranging from 12 to 40 feet, reflecting localized channel confinement, distributary branching, and broader braided drainage conditions. The feature exhibits a definable channel in many areas supported by observable OHWM indicators; however, due to the ephemeral desert setting, channel morphology and OHWM indicators become weak or discontinuous in portions of the drainage where multiple interlaced distributary flow paths split and rejoin. These areas were characterized as a braided drainage zone where the drainage functions as a composite system rather than as a single continuously confined channel.

Several secondary distributary flow paths branch eastward from Feature 1 toward Sun Ever Road. These minor flow paths exhibit localized erosional expression and intermittent OHWM indicators in places, but lose definable channel morphology and dissipate into diffuse sheet flow near the roadway. These distributary flow paths were mapped only where defensible geomorphic indicators were present and were not treated as separate primary drainage features.

Secondary distributary flow paths associated with Feature 1 are generally shallow (approximately several inches to one foot in depth), exhibit localized and intermittent geomorphic expression, and were mapped as associated flow paths rather than separate primary drainage features. These flow paths were evaluated as components of

the broader Feature 1 drainage system and were not treated as independent drainage features. Representative field conditions associated with mapped drainage features are documented in Figure 7.

Estimated distributary flow path area reflects only those secondary flow paths exhibiting sufficient lateral expression to support a representative width estimate; minor diffuse or poorly expressed flow threads were not included. Additional minor flow traces and shallow runoff threads were observed in portions of the site; however, where such features lacked sufficient geomorphic expression, definable connectivity to mapped drainage features, or dissipated into diffuse sheet flow without a defensible channel form, were not mapped as drainage features.

Treatment of Diffuse Sheet Flow Areas

A diffuse sheet flow area was identified in the eastern portion of the site in the vicinity of Sunever Road, extending both on-site and off-site, where drainage associated with secondary distributary flow paths becomes laterally dispersed and transitions into broad sheet flow across a roadway-influenced surface. This area was depicted on the figures to illustrate general surface water movement and hydrologic transition between more defined mapped drainage segments; however, it was not mapped as a separate jurisdictional drainage feature and was not included in the jurisdictional acreage summary table.

Field indicators within the diffuse sheet flow area, including ordinary high water mark characteristics, bed and bank expression, sediment sorting, and other channel morphology indicators, were weak, intermittent, or discontinuous and did not support delineation of a discrete channel feature with reasonably defined lateral limits. Flow in this area appeared to dissipate and spread across a broad sheet flow expression associated in part with the roadway corridor, rather than maintain sufficient continuity to support mapping as a separate drainage feature for jurisdictional accounting purposes.

Accordingly, the diffuse sheet flow area is shown for hydrologic context only to illustrate the transition of surface runoff through the Sunever Road area and between mapped drainage segments, but was not quantified as a separate jurisdictional feature in Table 1.

FEATURE 2

Feature 2 consists of a minor ephemeral drainage located in the northwestern portion of the project site. Feature 2 exhibits localized channel form and intermittent OHWM indicators, although drainage expression is weaker and less continuous than Feature 1. Feature 2 was mapped separately where field indicators supported a

defensible drainage boundary. Channel widths ranged from approximately 3 to 14 feet, with depths varying from several inches to approximately 3 feet. Feature 2 is shown in Figure 5

Mapped drainage limits shown on project figures reflect the extent of observable and defensible field indicators and do not assume continuous OHWM or top of bank boundaries where such indicators were absent. Acreage estimates for both mapped features are shown below.

Table 1: Estimated Acreages Based of Delineated Features

Feature	Mapping Basis	Total Area (acres)
Feature 1	Approximate Top of Bank	3.90 acres
Secondary Distributary Flow Paths associated with Feature 1	Estimated from mapped centerlines and representative widths	1.01 acres
Feature 2	Approximate Top of Bank	0.91 acres
Total Mapped/Estimated Drainage Area	Combined total	5.82 acres

Note: Areas are based on mapped drainage feature limits of Feature 1/2 and the project boundary. On-site acreages reflect the best professional interpretation of mapped drainage feature limits within the project boundary and are subject to final agency concurrence.

Relationship with Current Drainage Study

Review of the currently available civil drainage study indicates the project is intended to generally maintain the existing drainage pattern through preservation of primary drainage corridors, conveyance of tributary flows through planned crossings, and incorporation of drainage improvements designed to minimize disruption of existing flow paths. Based on the currently available information, mapped drainage features identified in this delineation appear capable of being incorporated into the conceptual site design, although final evaluation of whether proposed road crossings, culverts, detention facilities, grading, or drainage improvements may affect mapped features would require review of final engineering plans. Similarly, any alteration of existing sheet flow or mapped secondary distributary flow paths, if proposed, would require further evaluation during final design.

The drainage study also indicates no mapped blue-line stream courses occur within the project boundary, which is consistent with the delineation's conclusion that no federal jurisdictional waters subject to USACE Section 404 are present.

The relationship between mapped drainage features and the current conceptual site design is depicted on Figure 6, which overlays the delineated features onto the latest Tentative Tract Map and illustrates the relationship between Features 1 and 2, associated secondary distributary flow paths, and proposed project improvements. Figure 6 is intended to provide a planning-level understanding of how mapped drainage features relate to the current project layout. Final evaluation of the relationship between proposed grading, road crossings, utilities, and drainage improvements relative to mapped features will require review of final engineering plans.

3.1 PRELIMINARY JURISDICTIONAL DETERMINATION

3.1.1 U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL DETERMINATION

A jurisdictional evaluation was conducted to assess whether the mapped drainage features identified on the project site qualify as Waters of the United States (WOTUS) under the authority of the U.S. Army Corps of Engineers (USACE) pursuant to Section 404 of the Clean Water Act.

Two ephemeral drainage features (Feature 1 and Feature 2) were identified within the project site. These features exhibit localized ordinary high water mark (OHWM) indicators and channel characteristics in portions of the site, including localized scour, sediment sorting, depositional features, and intermittent bed and bank expression where present. Portions of Feature 1 include secondary distributary flow paths, braided drainage zones, and diffuse sheet flow areas where OHWM indicators become weak or discontinuous and a single continuous OHWM boundary could not be reliably traced.

Based on field observations, both mapped features function as ephemeral desert drainages that convey stormwater runoff during precipitation events. However, neither Feature 1 nor Feature 2 exhibited relatively permanent flow, standing water, wetlands, or evidence of a continuous surface connection to a traditionally navigable water or other relatively permanent waterbody. Consistent with the interpretation of Waters of the United States following *Sackett v. EPA*, and based on site-specific field observations, the mapped drainage features do not appear to meet the criteria for federal jurisdiction as Waters of the United States. Accordingly, no jurisdictional waters subject to Section 404 of the Clean Water Act were identified within the project site based on this delineation.

Review of aerial imagery, topographic mapping, and available National Hydrography Dataset information indicates the mapped ephemeral drainage features do not exhibit a continuous surface connection to a relatively permanent waterbody. Flow from the site dissipates through ephemeral desert drainage conditions and does not support federal jurisdiction under the post-Sackett framework.

This assessment represents the professional opinion of RCA Associates, Inc. based on field observations and currently applicable regulatory criteria. Final jurisdictional determinations remain subject to USACE review and concurrence.

3.1.2 REGIONAL WATER QUALITY CONTROL BOARD DETERMINATION

A jurisdictional evaluation was conducted to assess whether the mapped drainage features identified within the project site may qualify as Waters of the State subject to regulatory authority of the Regional Water Quality Control Board (RWQCB) under the Porter-Cologne Water Quality Control Act.

Two ephemeral drainage features (Feature 1 and Feature 2) were identified within the project site, including associated secondary distributary flow paths, localized braided drainage zones, and diffuse sheet flow areas associated with Feature 1. These features exhibit observable drainage characteristics in portions of the site, including localized channel morphology, sediment transport indicators, and ordinary high water mark (OHWM) indicators, although such indicators become weak or discontinuous in some areas.

Although the mapped features do not appear to meet criteria for Waters of the United States, ephemeral drainage features may nonetheless be subject to RWQCB authority as Waters of the State where a drainage feature exhibits sufficient evidence of a surface water feature or conveyance subject to state jurisdiction.

Based on field observations, the mapped drainage features may be considered potential Waters of the State subject to RWQCB review and concurrence. Final determination regarding applicability of state jurisdiction remains subject to RWQCB interpretation.

3.1.3 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE DETERMINATION

A jurisdictional evaluation was conducted to assess whether the mapped drainage features identified within the project site may be subject to jurisdiction by the California Department of Fish and Wildlife (CDFW) pursuant to California Fish and Game Code Sections 1600–1616.

Two ephemeral drainage features (Feature 1 and Feature 2) were identified within the project site, including associated secondary distributary flow paths, localized braided drainage zones, and diffuse sheet flow areas associated with Feature 1. Both features exhibit observable drainage characteristics in portions of the site, including localized bed and bank expression where present, sediment transport indicators, scour, and ordinary high water mark (OHWM) indicators.

Because continuous and well-defined bank features were not present throughout all portions of the drainage system, approximate top of bank limits were interpreted and mapped where observable based on multiple geomorphic indicators, including breaks in slope, channel morphology, scour patterns, sediment deposition, and associated field evidence, rather than solely where sharply defined banks were present. In portions of braided drainage or diffuse sheet flow where a continuous bank margin could not be reliably identified, top of bank was not forced where unsupported by field indicators. Approximate top of bank mapping is depicted in Figures 4 and 5.

Based on field observations, the mapped drainage features may warrant consideration as potential streambed resources subject to CDFW review and possible jurisdiction pursuant to Fish and Game Code Sections 1600–1616. Final determination regarding the extent and applicability of CDFW jurisdiction remains subject to agency review and concurrence.

3.2 US ARMY CORPS OF ENGINEERS PERMITS

Based on the field observations and jurisdictional evaluation presented in Section 3.1.1, a permit under Section 404 of the Clean Water Act from the U.S. Army Corps of Engineers (USACE) is not anticipated because no Waters of the United States were identified within the project site based on this delineation. Final confirmation remains subject to USACE review and concurrence.

3.3 REGIONAL WATER QUALITY CONTROL BOARD

Based on the field observations and jurisdictional evaluation presented in Section 3.1.2, the mapped drainage features may warrant consideration as potential Waters of the State subject to review by the Regional Water Quality Control Board (RWQCB). If impacts to features determined by RWQCB to be Waters of the State cannot be avoided, authorization under the Porter-Cologne Water Quality Control Act, which may include Waste Discharge Requirements or other applicable authorization, may be required. Final applicability remains subject to RWQCB review and concurrence.

3.4 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Based on the field observations and jurisdictional evaluation presented in Section 3.1.3, the mapped drainage features may warrant consideration as potential streambed resources subject to review by the California Department of Fish and Wildlife (CDFW). If impacts to features determined by CDFW to be jurisdictional cannot be avoided, authorization pursuant to Fish and Game Code Sections 1600–1616, including a Lake or Streambed Alteration Agreement, may be required. Final applicability remains subject to CDFW review and concurrence.

3.5 POTENTIAL STATE REGULATORY CONSIDERATIONS

Based on currently available plans, it cannot yet be confirmed whether all mapped drainage features identified in this delineation would be fully avoided by final project improvements. If final project design demonstrates complete avoidance of mapped drainage features, separate authorization from CDFW or RWQCB may not be required beyond documentation of avoidance and implementation of protective measures during construction. However, if proposed grading, infrastructure, roadway crossings, or drainage improvements result in impacts to mapped streambed resources or RWQCB-regulated Waters of the State, consultation with CDFW regarding Fish and Game Code Section 1602 and consultation with RWQCB regarding potential Waste Discharge Requirements or other applicable authorization may be warranted prior to grading. Final permitting applicability would depend on final project design, impact footprint, and agency concurrence.

4.0 CONCLUSION AND RECOMMENDATIONS

Based on field observations, desktop review, and application of the 1987 Corps of Engineers Wetlands Delineation Manual, the Arid West Regional Supplement, and applicable regulatory criteria, two drainage features (Feature 1 and Feature 2), including associated secondary distributary flow paths where mapped, were identified on the Project site as potentially subject to state jurisdiction under the Porter-Cologne Water Quality Control Act and/or California Fish and Game Code Sections 1600 et seq. The delineated features do not exhibit a continuous surface connection to a relatively permanent waterbody and therefore do not satisfy criteria for federal jurisdiction under the post-*Sackett* framework; accordingly, no federal jurisdictional waters subject to USACE Section 404 are anticipated.

Based on currently available information, final permitting applicability associated with the mapped drainage features, if any, would depend on final project design, the relationship of proposed improvements to mapped features, and agency concurrence, as applicable.

Recommended Avoidance and Minimization Measures

To support project planning, CEQA review, and avoidance of potential impacts to mapped drainage features, the following measures are recommended for consideration during final engineering and construction planning:

1. Mapped drainage features should be shown on final grading, utility, roadway, and drainage improvement plans.
2. Grading, fill, equipment staging, and material stockpiling should be avoided within mapped drainage features unless specifically evaluated and, if applicable, authorized.
3. Protective fencing, flagging, or other construction exclusion measures should be installed where necessary to identify limits of avoidance adjacent to mapped features.
4. Final project design should, to the extent feasible, maintain existing drainage conveyance and natural drainage function associated with mapped features.
5. If temporary disturbances to mapped features are proposed or unavoidable, disturbed areas should be restored to pre-project contours and stabilized where feasible, consistent with final design requirements and any applicable agency conditions.
6. Appropriate erosion and sediment control Best Management Practices (BMPs) should be implemented during construction to avoid sedimentation or inadvertent discharge into mapped drainage features.

7. If final engineering design indicates potential impacts to mapped drainage features, additional evaluation may be warranted to assess whether agency consultation or authorization may be applicable prior to grading.

This delineation represents professional conclusions based on conditions observed at the time of field investigation and information available at the time of preparation. If site conditions, project design, or applicable regulatory criteria change, additional evaluation may be warranted.

5.0 REFERENCES

- Hickman, James C., (ed.). 1993. *The Jepson Manual: Higher Plants of California*. Berkeley: University of California Press.
- Holland, R.F. 1986. *Preliminary Descriptions of the Terrestrial Natural Communities of California*. California Department of Fish and Game (Sacramento), Nongame Heritage Program Report.
- Hurt, G.W., and L.M. Vasilas (eds.). 2006. *Field Indicators of Hydric Soils in the United States, Version 6.0*. United States Department of Agriculture, Natural Resources Conservation Service, in cooperation with the National Technical Committee for Hydric Soils.
- Lichvar, R.W., and S.M. McColley. 2008. *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States*. Army Engineer Research and Development Center. ERDC/CRREL TR-08-12.
- Lichvar, R.W., B. Allen, J. Byersdorfer, D. Cate, L. Dixon, and C. Photos. *Vegetation and Channel Morphology Responses to Ordinary High Water Discharge Events in Arid West Stream Channels*. U.S. Army Engineer Research and Development Center. ERDC/CRREL TR-09-5.
- Planert, M., and J.S. Williams. 1995. *Ground Water Atlas of the United States, California, Nevada, HA 730-B-Basin and Range Aquifers*. United States Geological Survey. Available at: http://capp.water.usgs.gov/gwa/ch_b/index.html.
- United States Army Corps of Engineers (USACE). 1987. *Wetlands Delineation Manual-Technical Report Y-87-1* (online edition). U.S. Army Corps of Engineers Waterways Experiment Station.
- United States Army Corps of Engineers (USACE). 2007. *Jurisdictional Delineation Form Instructional Guidebook*. Available at: <http://www.usace.army.mil/CECW/Pages/home.aspx>.
- United States Army Corps of Engineers (USACE). 2008. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region, Version 2.0*. U.S. Army Engineer Research and Development Center. ERDC/EL TR-08-28.
- Western Regional Climate Center (WRCC). 2010. *Palm Springs, California (046635)*. Available at: <http://www.wrcc.dri.edu/>.

APPENDIX A

Figures




Legend
 Project Boundary



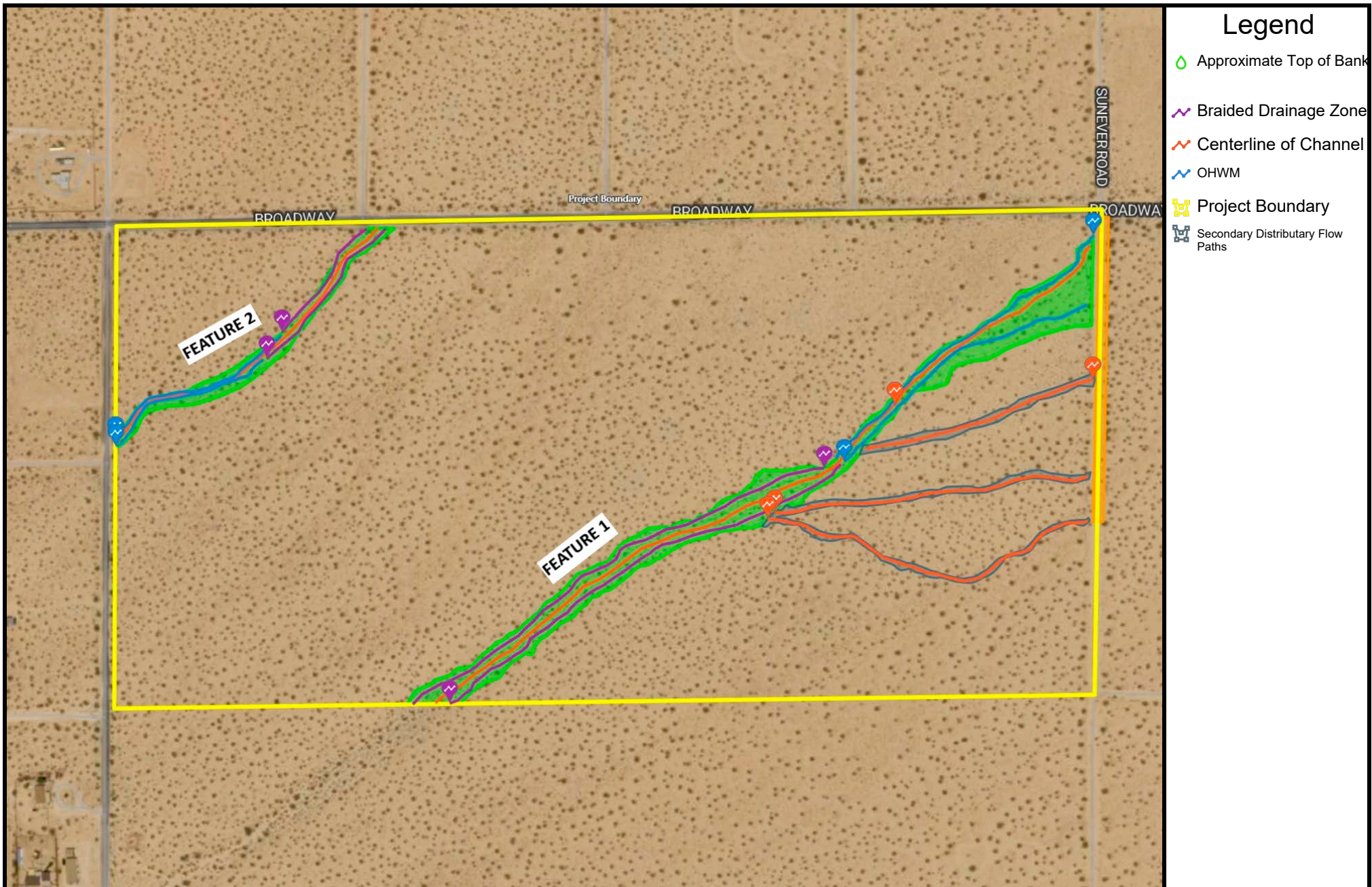
Figure 1: Regional Exhibit

Produced By: RCA Associates Inc.

APN 0605-051-01

Source:	Uinta Software
Acreege:	80.2-acres (Approximately)
Project #:	2026-77





Legend

- ◊ Approximate Top of Bank
- ~ Braided Drainage Zone
- Centerline of Channel
- ~ OHWM
- Project Boundary
- Secondary Distributary Flow Paths

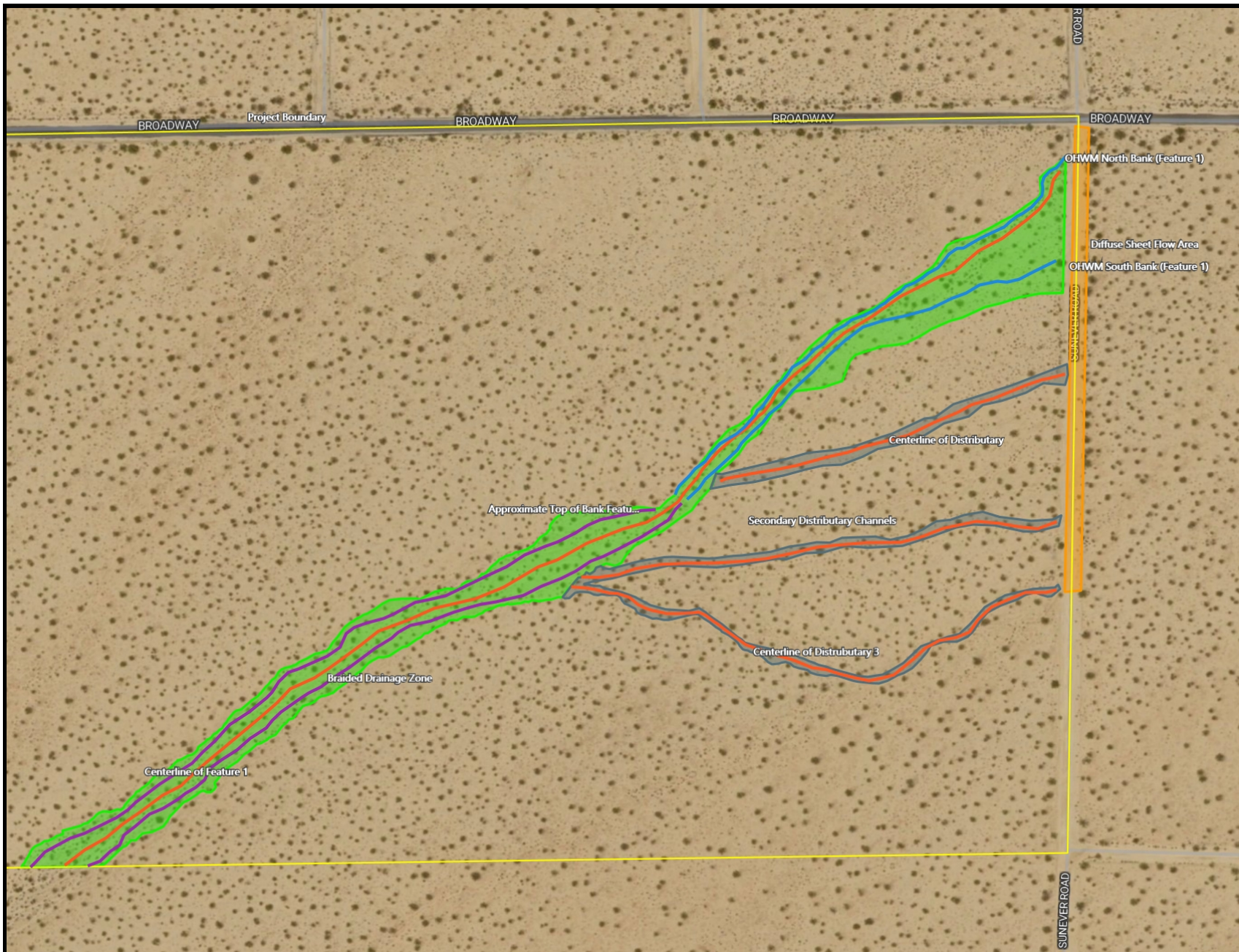


Figure 3: Feature 1 and 2 Overview

APN 0605-051-01

Source:	Uinta Software
Acreage:	80.2-acres (Approximately)
Project #:	2026-77





- ### Legend
- Approximate Top of Bank
 - Diffuse Sheet Flow Area
 - Braided Drainage Zone
 - Centerline of Channel
 - OHWM
 - Project Boundary
 - Secondary Distributary Flow Paths

Secondary distributary flow paths were mapped as associated centerline features; estimated area values are based on representative field widths and are included for reporting purposes only.

	<h2>Figure 4: Feature 1 (Magnified)</h2>	<h2>APN 0605-051-01</h2>	Source: Uinta Software	
			Acreeage: 80.2-acres (Approximately)	
			Project #: 2026-77	



Legend

- Approximate Top of Bank
- Braided Drainage Zone
- Centerline of Channel
- OHWM
- Project Boundary

	Figure 5: Feature 2 (Magnified)	APN 0605-051-01	Source: Uinta Software	
			Acreage: 80.2-acres (Approximately)	
			Project #: 2026-77	

JD OVERLAY

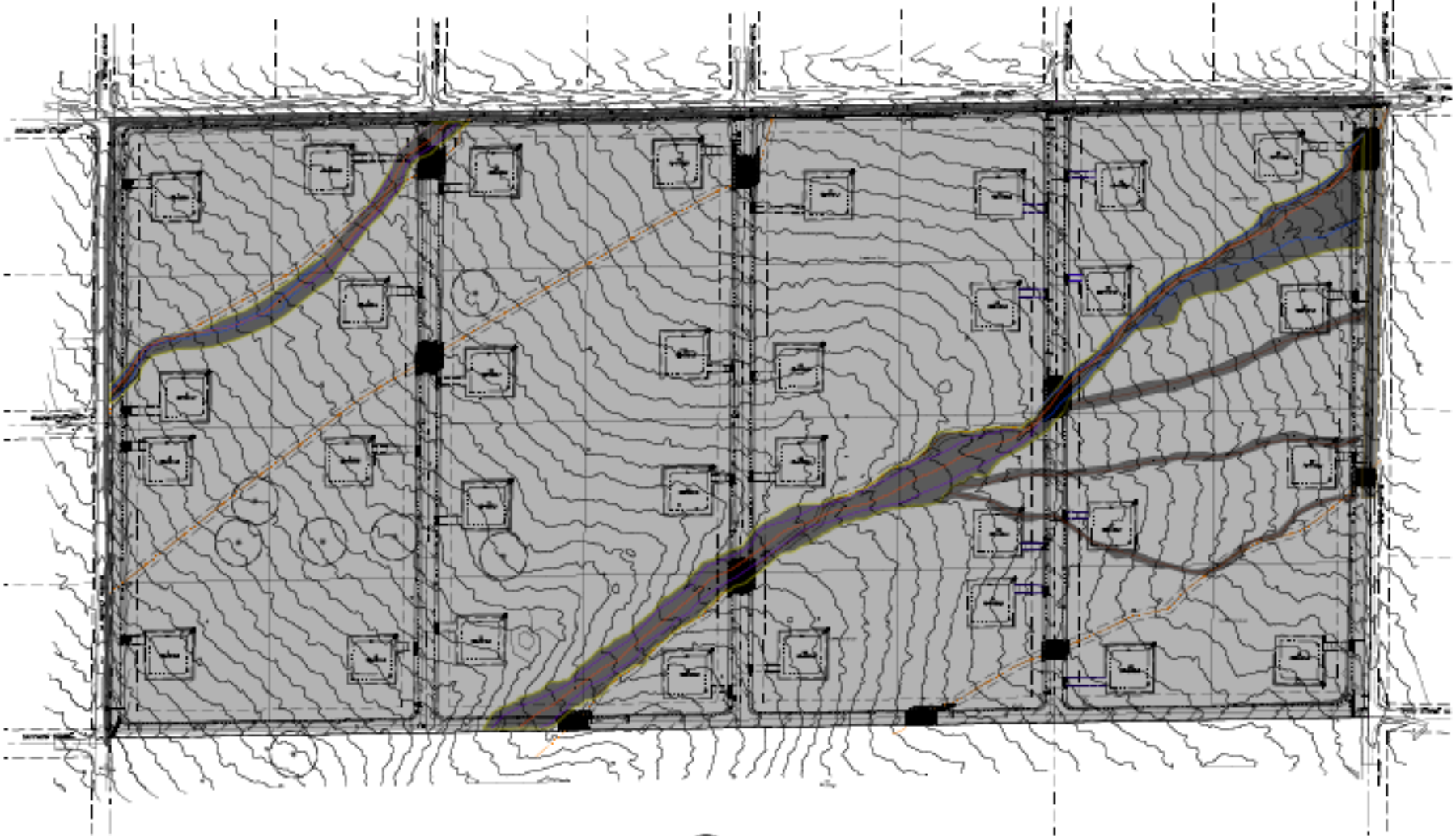
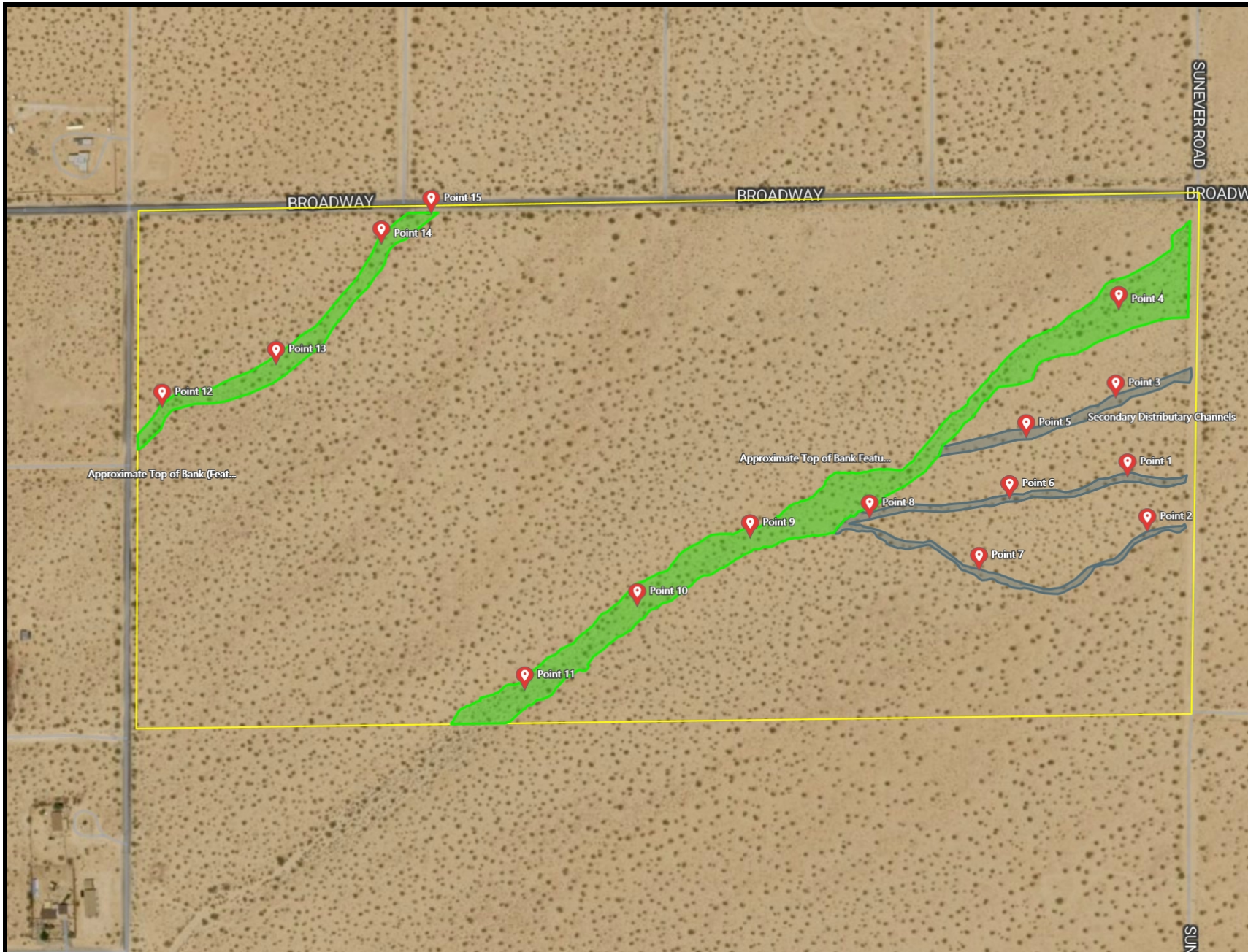


Figure 6: Jurisdictional Delineation Overlay

APN 0605-051-01

Source: Uinta Software
Acreage: 81.2-acres (Approximately)
Project #: 2026-77





Legend

- Approximate Top of Bank
- Photo Points
- Project Boundary
- Secondary Distributary Flow Paths

	Figure 7: Photo Location Points Relative to Mapped Drainage Features	APN 0605-051-01	Source: Uinta Software	
			Acreage: 80.2-acres (Approximately)	
			Project #: 2026-77	

POINT 1 UPSTREAM VIEW (Secondary Distributary Flow Path)



POINT 1 DOWNSTREAM VIEW (Secondary Distributary Flow Path)



FIGURE 7: PHOTOGRAPHS OF SITE

POINT 2 UPSTREAM VIEW (Secondary Distributary Flow Path)



POINT 2 DOWNSTREAM VIEW (Secondary Distributary Flow)



FIGURE 7, cont: PHOTOGRAPHS OF SITE

POINT 3 UPSTREAM VIEW (Secondary Distributary Flow Path)



POINT 3 DOWNSTREAM VIEW (Secondary Distributary Flow Path)



FIGURE 7: PHOTOGRAPHS OF SITE

POINT 4 UPSTREAM VIEW (Feature 1)



POINT 4 DOWNSTREAM VIEW (Feature 1)



FIGURE 7, cont: PHOTOGRAPHS OF SITE

POINT 5 UPSTREAM VIEW (Secondary Distributary Flow Path)



POINT 5 DOWNSTREAM VIEW (Secondary Distributary Flow Path)



FIGURE 7: PHOTOGRAPHS OF SITE

POINT 6 UPSTREAM VIEW (Secondary Distributary Flow Path)



POINT 6 DOWNSTREAM VIEW (Secondary Distributary Flow)



FIGURE 7, cont: PHOTOGRAPHS OF SITE

POINT 7 UPSTREAM VIEW (Secondary Distributary Flow Path)



POINT 7 DOWNSTREAM VIEW (Secondary Distributary Flow Path)



FIGURE 7: PHOTOGRAPHS OF SITE

POINT 8 UPSTREAM VIEW (Secondary Distributary Flow Path)



POINT 8 DOWNSTREAM VIEW (Secondary Distributary Flow)



FIGURE 7, cont: PHOTOGRAPHS OF SITE

POINT 9 UPSTREAM VIEW (Feature 1)



POINT 9 DOWNSTREAM VIEW (Feature 1)



FIGURE 7: PHOTOGRAPHS OF SITE

POINT 10 UPSTREAM VIEW (Feature 1)



POINT 10 DOWNSTREAM VIEW (Feature 1)



FIGURE 7, cont: PHOTOGRAPHS OF SITE

POINT 11 UPSTREAM VIEW (Feature 1)



POINT 11 DOWNSTREAM VIEW (Feature 1)



FIGURE 7: PHOTOGRAPHS OF SITE

POINT 12 UPSTREAM VIEW (Feature 2)



POINT 12 DOWNSTREAM VIEW (Feature 2)



FIGURE 7, cont: PHOTOGRAPHS OF SITE

POINT 13 UPSTREAM VIEW (Feature 2)



POINT 13 DOWNSTREAM VIEW (Feature 2)



FIGURE 7: PHOTOGRAPHS OF SITE

POINT 14 UPSTREAM VIEW (Feature 2)



POINT 14 DOWNSTREAM VIEW (Feature 2)



FIGURE 7, cont: PHOTOGRAPHS OF SITE

POINT 15 UPSTREAM VIEW (Feature 2)



POINT 15 DOWNSTREAM VIEW (Feature 2)



FIGURE 7: PHOTOGRAPHS OF SITE