

# PRELIMINARY JURISDICTIONAL DETERMINATION FORM

This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

District Office  File/ORM #  PJD Date:

State  City/County   
Nearest Waterbody:   
Location: TRS, LatLong or UTM:   
Name/ Address of Person Requesting PJD:

Identify (Estimate) Amount of Waters in the Review Area:  
Non-Wetland Waters:  linear ft  width  acres Stream Flow:   
Wetlands:  acre(s) Cowardin Class:   
Name of Any Water Bodies on the Site Identified as Section 10 Waters: Tidal:  Non-Tidal:   
 Office (Desk) Determination  
 Field Determination: Date of Field Trip:

### SUPPORTING DATA: Data reviewed for preliminary JD (check all that apply - checked items should be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
- Data sheets prepared/submitted by or on behalf of the 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 waters' study:
- U.S. Geological Survey Hydrologic Atlas:
  - USGS NHD data.
  - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite quad name:
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name:
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is:
- Photographs:  Aerial (Name & Date):   
 Other (Name & Date):
- Previous determination(s). File no. and date of response letter:
- Other information (please specify):

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

Signature and Date of Regulatory Project Manager  
(REQUIRED)

Signature and Date of Person Requesting Preliminary JD  
(REQUIRED, unless obtaining the signature is impracticable)

#### EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

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**Appendix A - Sites**

District Office  File/ORM #  PJD Date:

State  City/County  Person Requesting PJD

Site Number	Latitude	Longitude	Cowardin Class	Est. Amount of Aquatic Resource in Review Area	Class of Aquatic Resource
1	33.69203	-117.34912	Riverine	0.009 ac	Non-Section 10 non-wetland
2	33.69128	-117.35028	Palustrine, forested	0.034 ac	Non-Section 10 wetland
3	33.69219	-117.35123	Palustrine, forested	0.229 ac	Non-Section 10 wetland
4	33.70635	-117.37377	Riverine	0.006 ac	Non-Section 10 non-wetland
5	33.70701	-117.37495	Riverine	0.008 ac	Non-Section 10 non-wetland
6	33.70739	-117.37572	Riverine	0.010 ac	Non-Section 10 non-wetland

**Notes:**

Sites 1 includes road construction through a small ephemeral wash that flows into a stormdrain that flows into the Lake Elsinore Flood Control Channel.

Sites 2 and 3 includes pole construction within the Collier Wetlands. Riparian tree trimming will be conducted to trees over 20-feet tall to allow for overhead line clearance within the heavily wooded area.

Sites 4 through 6 include road construction through small ephemeral washes that flow directly or indirectly into Temescal Wash.

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Site Number	Latitude	Longitude	Cowardin Class	Est. Amount of Aquatic Resource in Review Area	Class of Aquatic Resource
7	33.70844	-117.37720	Riverine	0.001 ac	Non-Section 10 non-wetland
8	33.72726	-117.39284	Palustrine, scrub-shrub	0.099 ac	Non-Section 10 non-wetland
9	33.72782	-117.39296	Palustrine, forested	0.113 ac	Non-Section 10 non-wetland
10	33.72891	-117.39389	Palustrine, forested	0.035 ac	Non-Section 10 non-wetland
11	33.72892	-117.39446	Palustrine, forested	0.012 ac	Non-Section 10 non-wetland
12	33.72894	-117.39479	Palustrine, forested	0.044 ac	Non-Section 10 non-wetland

**Notes:**

Site 7 includes road construction through an ephemeral wash that flows directly or indirectly into Temescal Wash.

Sites 8 and 9 includes pole and road construction within an unvegetated channel and mulefat riparian scrub. Site 9 also includes a small amount of riparian tree trimming for line clearance.

Sites 10 through 12 include road and pole construction within a southern cottonwood/willow riparian forest adjacent to Temescal Wash.

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Site Number	Latitude	Longitude	Cowardin Class	Est. Amount of Aquatic Resource in Review Area	Class of Aquatic Resource
13	33.72894	-117.39562	Palustrine, forested	0.008 ac	Non-Section 10 non-wetland
14	33.72987	-117.39958	Riverine	0.003 ac	Non-Section 10 non-wetland
15	33.73388	-117.40669	Riverine	0.093 ac	Non-Section 10 non-wetland
16	33.73263	-117.41345	Palustrine, forested	0.361 ac	Non-Section 10 wetland
17	33.73141	-117.41399	Palustrine, forested	0.021 ac	Non-Section 10 wetland
18	33.73169	-117.41421	Palustrine, forested	0.116 ac	Non-Section 10 non-wetland

**Notes:**

Site 13 includes road and pole construction within a southern cottonwood/willow riparian forest adjacent to Temescal Wash.

Site 14 and 15 includes pole construction work area within ephemeral washes that flow directly into Temescal Wash.

Sites 16-18 includes pole and road construction within a riparian area surrounding Temescal Wash in a residential lot and commercial mining operation.

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Site Number	Latitude	Longitude	Cowardin Class	Est. Amount of Aquatic Resource in Review Area	Class of Aquatic Resource
19	33.73240	-117.41531	Palustrine, forested	0.021 ac	Non-Section 10 non-wetland
20	33.73226	-117.41626	Palustrine, forested	0.531 ac	Non-Section 10 non-wetland
21	33.73258	-117.41720	Riverine	0.007 ac	Non-Section 10 non-wetland
22	33.72959	-117.42052	Riverine	0.018 ac	Non-Section 10 non-wetland
23	33.73401	-117.42203	Riverine	0.015 ac	Non-Section 10 wetland
24	33.73105	-117.42300	Riverine	0.011 ac	Non-Section 10 non-wetland

**Notes:**

Site 19 includes pole and road construction within a riparian area surrounding Temescal Wash in a commercial mining operation.

Site 20 includes road and pole construction within unvegetated wash and southern cottonwood/willow riparian forest within Temescal Wash.

Site 21 - 24 includes road and pole construction within ephemeral washes that flow directly or indirectly into Temescal Wash.

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Site Number	Latitude	Longitude	Cowardin Class	Est. Amount of Aquatic Resource in Review Area	Class of Aquatic Resource
25	33.72808	-117.42449	Riverine	0.016 ac	Non-Section 10 non-wetland
26	33.73019	-117.42453	Riverine	0.097 ac	Non-Section 10 non-wetland
27	33.73670	-117.42768	Palustrine, scrub-shrub	0.113 ac	Non-Section 10 non-wetland
28	33.74127	-117.43481	Riverine	0.025 ac	Non-Section 10 non-wetland
29	33.74175	-117.43805	Riverine	0.030 ac	Non-Section 10 wetland
30	33.74233	-117.44044	Riverine	0.074 ac	Non-Section 10 non-wetland

**Notes:**

Site 25-30 includes road and pole construction within unvegetated wash and riparian scrub communities within ephemeral washes that flow directly or indirectly into Temescal Wash.

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31	33.74897	-117.44881	Riverine	0.028 ac	Non-Section 10 non-wetland
32	33.74910	-117.44935	Riverine	0.013 ac	Non-Section 10 non-wetland
33	33.75354	-117.45421	Riverine	0.064 ac	Non-Section 10 non-wetland
34	33.75331	-117.45434	Riverine	0.132 ac	Non-Section 10 non-wetland
35	33.75457	-117.45500	Riverine	0.003 ac	Non-Section 10 wetland
36	33.75435	-117.45514	Riverine	0.001 ac	Non-Section 10 non-wetland

**Notes:**

Site 31-32 includes pole construction within unvegetated ephemeral drainages that flow directly or indirectly into Temescal Wash.

Site 33-36 includes underground line construction along Temescal Canyon Road within sparsely vegetated portions of Temescal Wash and within unvegetated ephemeral drainages that flow directly or indirectly into Temescal Wash.

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Site Number	Latitude	Longitude	Cowardin Class	Est. Amount of Aquatic Resource in Review Area	Class of Aquatic Resource
37	33.75562	-117.45609	Riverine	0.022 ac	Non-Section 10 non-wetland
38	33.75607	-117.45611	Riverine	0.071 ac	Non-Section 10 non-wetland
39	33.75696	-117.45707	Riverine	0.240 ac	Non-Section 10 non-wetland
40	33.75797	-117.45766	Riverine	0.637 ac	Non-Section 10 non-wetland
41	33.76073	-117.46124	Riverine	0.786 ac	Non-Section 10 wetland
42	33.76137	-117.46256	Riverine	0.037 ac	Non-Section 10 non-wetland

**Notes:**

Site 37-42 includes underground line construction along Temescal Canyon Road within sparsely vegetated portions of Temescal Wash and within unvegetated ephemeral drainages that flow directly or indirectly into Temescal Wash.



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Site Number	Latitude	Longitude	Cowardin Class	Est. Amount of Aquatic Resource in Review Area	Class of Aquatic Resource
43	33.76215	-117.46431	Riverine	0.014 ac	Non-Section 10 non-wetland
44	33.76239	-117.46436	Riverine	0.024 ac	Non-Section 10 non-wetland
45	33.76263	-117.46613	Riverine	0.002 ac	Non-Section 10 non-wetland
46	33.76265	-117.46718	Riverine	0.022 ac	Non-Section 10 non-wetland
47	33.76298	-117.46780	Riverine	0.708 ac	Non-Section 10 wetland
48	33.76285	-117.46781	Riverine	0.022 ac	Non-Section 10 non-wetland

**Notes:**

Site 43-48 includes underground line construction along Temescal Canyon Road within sparsely vegetated portions of Temescal Wash and within unvegetated ephemeral drainages that flow directly or indirectly into Temescal Wash.

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49	33.76290	-117.46931	Riverine	0.032 ac	Non-Section 10 non-wetland
50	33.76209	-117.47190	Riverine	0.238 ac	Non-Section 10 non-wetland
51	33.76156	-117.47298	Palustrine, forested	0.001 ac	Non-Section 10 non-wetland
52	33.76115	-117.47323	Palustrine, forested	0.030 ac	Non-Section 10 non-wetland
53	33.76130	-117.47332	Palustrine, forested	0.012 ac	Non-Section 10 wetland
54	33.76081	-117.47622	Riverine	0.155 ac	Non-Section 10 non-wetland

**Notes:**

Site 49-54 includes underground line construction along Temescal Canyon Road within sparsely vegetated portions of Temescal Wash and within sparsely vegetated and riparian habitat within drainages that flow into Temescal Wash.

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Site Number	Latitude	Longitude	Cowardin Class	Est. Amount of Aquatic Resource in Review Area	Class of Aquatic Resource
55	33.76092	-117.47707	Riverine	0.191 ac	Non-Section 10 non-wetland
			n/a		Non-Section 10 non-wetland
			n/a		Non-Section 10 non-wetland
			n/a		Non-Section 10 non-wetland
			n/a		Non-Section 10 wetland
			n/a		Non-Section 10 non-wetland

**Notes:**

Site 55 includes underground line construction along Temescal Canyon Road within a sparsely vegetated drainage that flow into Temescal Wash.