



June 7, 2010

Dr. Aaron Allen, SPL  
U.S. Army Corps of Engineers  
2151 Alessandro Dr. #110  
Ventura, California 93001

**Re: Preliminary Jurisdictional Determination for the Newhall Ranch Resource Management and Development Plan Site and Entrada Planning Area, Los Angeles County, California**

Dear Dr. Allen:

On behalf of the Newhall Land and Farming Company (Newhall Land), please accept the attached materials containing revisions to our previously submitted preliminary Jurisdictional Determination (JD) dated April 20, 2009, for the Newhall Ranch Resource Management and Development Plan (RMDP) site (File No. 2003-01264-AOA). Per your request, URS Corporation (URS) staff have conducted additional wetland delineation field work in the portion of the RMDP site north of the Santa Clara River near the proposed Potrero Canyon Road bridge, an area which had been previously surveyed for wetlands only by interpreting aerial photographs. In addition, the boundaries of waters of the United States and wetlands at some other locations have been refined to reflect the most recent data available (generally, 2006 data replacing 2004 data). These revisions to the 2009 Preliminary JD are described and quantified below.

**Santa Clara River Mainstem near Potrero Canyon Road Bridge**

In the 2009 Preliminary JD, the boundaries of a wetland at this location had been based on field investigations only within the construction disturbance zone of the Potrero Canyon Road bridge, and had been based on interpretation of aerial photographs outside this disturbance zone. In response to comments received from the public on the Draft EIS/EIR, field mapping techniques were employed throughout this area to determine the wetland boundary with greater precision. The wetland delineation field work was conducted by URS biologists Christopher Julian and Julie Love on December 21, 2009 and January 6, 2010, and was performed in accordance with the methods set forth in the Corps' Wetland Delineation Manual and the Arid West Regional Supplement to that manual. A total of 32 new data points were evaluated for wetland characteristics. The field investigations identified an additional 15.5 acres of wetland waters of the United States adjacent to the Santa Clara River mainstem.

Dr. Aaron Allen  
U.S. Army Corps of Engineers  
June 7, 2010  
Page 2 of 3

## **Margins of the Santa Clara River, Potrero Canyon, and Salt Creek**

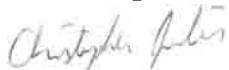
Upon more detailed inspection of the jurisdictional boundaries and data sources used in the 2009 Preliminary JD, it was observed that the results of a field mapping exercise conducted by Dudek and Associates in 2006 had not been incorporated into the results, and that older boundaries, mapped by URS Corporation in 2004, had been used instead. Although the difference between these data sources is not great, the 2004 boundaries have been replaced with 2006 boundaries where applicable, to ensure that the JD contains the most current information available. Incorporating this change yielded an increase of 21.9 acres of waters of the United States, including 10.4 acres of wetlands (in addition to the 15.5 acres of Santa Clara River wetlands identified above).

In addition to the mapping revisions identified above, the GIS database for the project has also been updated to include some tributary confluence areas that were properly identified as waters of the United States on the graphics in the 2009 Preliminary JD, but were inadvertently excluded from the database. Addition of these areas to the GIS database yielded an additional 1.8 acres of non-wetland waters of the United States along the Santa Clara River mainstem.

Incorporation of the revisions described above yielded an updated total of 660.1 acres of waters of the United States within the site, of which 276.9 acres are jurisdictional wetlands. Updated acreages of jurisdictional waters, including wetlands, are included on the attached preliminary JD form, and the additional wetland area is depicted graphically on the attached site map. Other information presented in the previous preliminary JD, including the overview of the RMDP project, survey methods, and general descriptions of the aquatic resources on-site, would not change as a result of these updates, and are not restated here. Revised acreages of waters of the United States within the project area, including wetlands, are presented in Table 1, below.

We look forward to continuing work with your agency on this project. Should you have any questions regarding this submittal, please contact Christopher Julian of URS Corporation at (805) 964-6010.

Sincerely,  
**URS Corporation**



Christopher Julian  
Project Biologist/Regulatory Specialist

**TABLE 1**  
**WATERS OF THE UNITED STATES, INCLUDING WETLANDS,**  
**WITHIN THE RMDP SITE AND ENTRADA PLANNING AREA**

<b>Drainage</b>	<b>Non-wetland Waters of the United States (Acres)</b>	<b>Corps Adjacent Wetlands (Acres)</b>	<b>Total Waters of the United States (Acres)</b>
Santa Clara River	212.5	258.8	471.2
Salt Creek	79.7	8.7	88.5
Potrero Canyon	31.4	7.3	38.7
San Martinez Grande Canyon	2.55	0.00	2.55
Chiquito Canyon	12.21	0.00	12.21
Long Canyon	5.70	0.00	5.70
Lion Canyon	6.86	0.00	6.86
Minor Ephemeral Drainages within RMDP Study Area	32.25	0.00	32.25
Spring Complex	0.00	2.13	2.13
<b>Subtotal RMDP Site</b>	<b>383.2</b>	<b>276.9</b>	<b>660.1</b>
Entrada Unnamed Drainages	2.4	<b>0.55</b>	2.95
<b>Subtotal Entrada Planning Area</b>	<b>2.4</b>	<b>0.55</b>	<b>2.95</b>
<b>Grand Total</b>	<b>385.6</b>	<b>277.5</b>	<b>663.1</b>

**List of Attachments**

- Attachment A Preliminary Jurisdictional Determination Form
- Attachment B Map of Waters of the United States within the Project Site

cc: Matt Carpenter, Newhall Land and Farming Company

# 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 <input type="text" value="CA"/> City/County <input type="text" value="Los Angeles County"/>	Name/ Address of Person Requesting PJD	<input type="text" value="Mr. Matt Carpenter"/> <input type="text" value="Newhall Land and Farming Company"/> <input type="text" value="25124 Springfield Court, 3rd Floor"/> <input type="text" value="Valencia, California 91355-1088"/>
Nearest Waterbody: <input type="text" value="Santa Clara River"/>		
Location: TRS, LatLong or UTM: <input type="text" value="Approximate site center at 347752.848962,&lt;br/&gt;3807607.71454 (UTM NAD 83, Meters)."/>		

Identify (Estimate) Amount of Waters in the Review Area:	Name of Any Water Bodies on the Site Identified as	Tidal: <input type="text" value="None"/>
Non-Wetland Waters:	Section 10 Waters:	Non-Tidal: <input type="text" value="None"/>
<input type="text" value="~220k"/> linear ft <input type="text" value="var."/> width <input type="text" value="660.1"/> acres	<input type="text" value="N/A"/>	
Stream Flow: <input type="text" value="N/A"/>	<input checked="" type="checkbox"/> Office (Desk) Determination	Date of Field Trip: <input type="text" value="Several, see reports."/>
Wetlands: <input type="text" value="276.1"/> acre(s) Cowardin Class: <input type="text" value="Palustrine, scrub-shrub"/>	<input checked="" type="checkbox"/> Field Determination:	

**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)

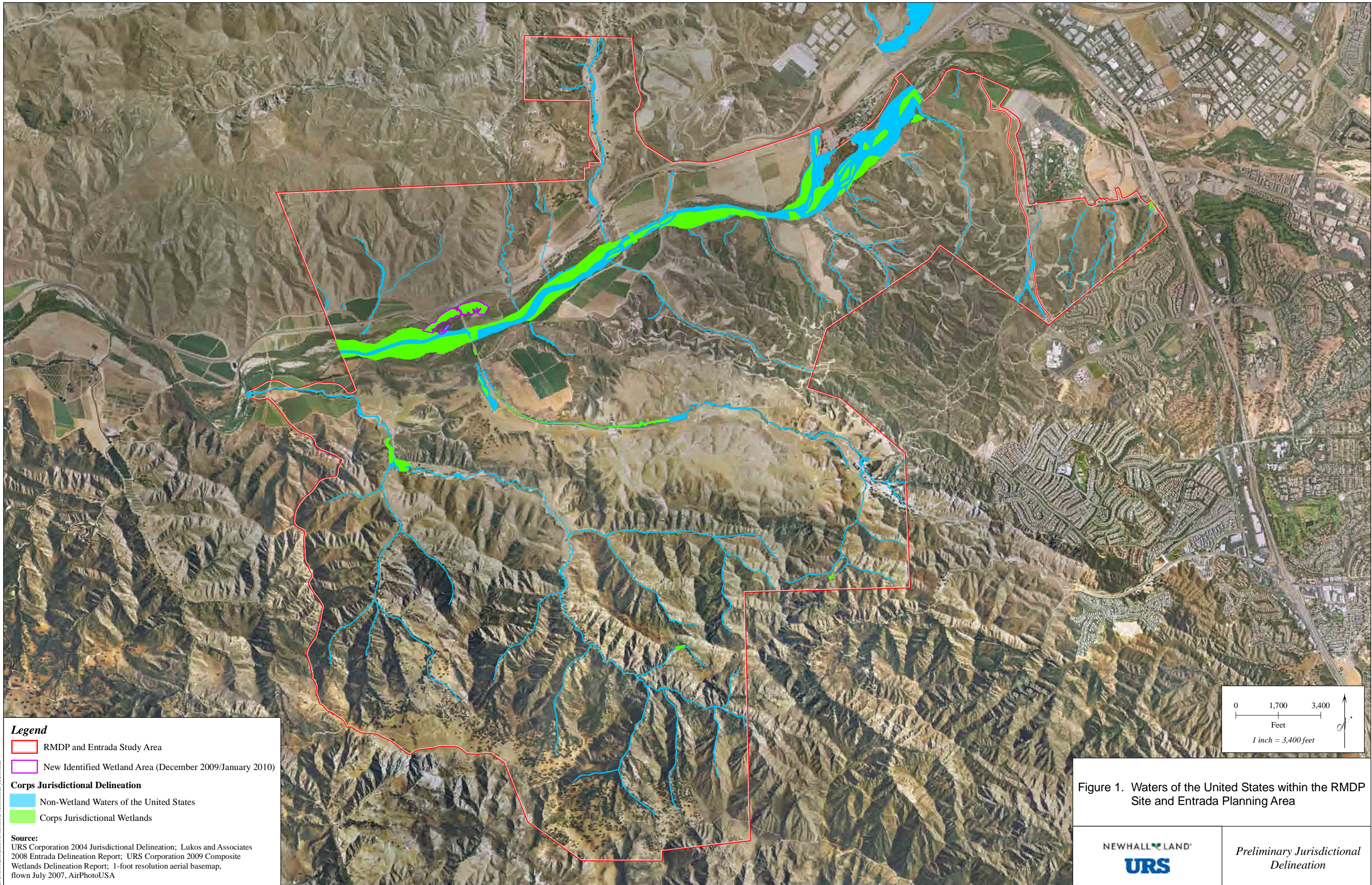
Signature and Date of Person Requesting Preliminary JD  
(REQUIRED, unless obtaining the signature is impracticable)

## 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.





**Legend**

- RMDP and Entrada Study Area
- New Identified Wetland Area (December 2009/January 2010)

**Corps Jurisdictional Delineation**

- Non-Wetland Waters of the United States
- Corps Jurisdictional Wetlands

**Source:**  
 URS Corporation 2004 Jurisdictional Delineation; Lukos and Associates 2008 Entrada Delineation Report; URS Corporation 2009 Composite Wetlands Delineation Report; 1-foot resolution aerial basemap, flown July 2007, AirPhotoUSA

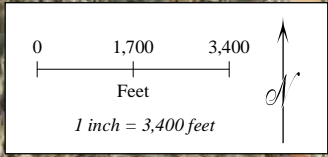


Figure 1. Waters of the United States within the RMDP Site and Entrada Planning Area



*Preliminary Jurisdictional Delineation*