APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

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

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): November 30, 2015

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CENWP-OD-GP, Port of Portland - Hillsboro Airport, NWP-2008-658/5

C. PROJECT LOCATION AND BACKGROUND INFORMATION:
State: Oregon County/parish/borough: Washington City: Hillsboro
Center coordinates of site (lat/long in degree decimal format): Lat. 45.54° **N**, Long. 122.95° **W**.
Universal Transverse Mercator:
Name of nearest waterbody: Lower Rock Creek
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Tualatin River
Name of watershed or Hydrologic Unit Code (HUC): 170900100403 – Lower Rock Creek Watershed
☒ Check if map/diagram of review area 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. There are different forms for the Lower McKay Creek Watershed

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
☒ Office (Desk) Determination. Date: November 30, 2015
☒ Field Determination. Date(s): August 8, 2014

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. [*Required*]
☐ 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 commerce.
Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **are and are not** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [*Required*]

1. Waters of the U.S.
a. Indicate presence of waters of U.S. in review area (check all that apply): [1]
☐ TNWs, including territorial seas
☐ Wetlands adjacent to TNWs
☐ Relatively permanent waters[2] (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 ***Wetland A 8-1 & 2,***
☐ 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-wetland waters: linear feet: width (ft) and/or acres.
Wetlands: acres.

c. Limits (boundaries) of jurisdiction based on: **1987 Delineation Manual**
Elevation of established OHWM (if known): .

2. Non-regulated waters/wetlands (check if applicable):[3]
☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
Explain:
- Wetland A5, A6, A7, A10 are part of the stormwater system of the airport. They were created through fill placement and grading to relocate water off of the runway and the creation of the stormwater runoff system for the airport and are

[1] Boxes checked below shall be supported by completing the appropriate sections in Section III below.
[2] For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).
[3] Supporting documentation is presented in Section III.F.

located in the stormwater swale. These wetlands are seasonally saturated due to the water running off the airport runway and taxiways.

- Wetlands A9, A11, A12, R4 and R5. Negative significant nexus to downstream waters. The vegetation is managed to reduce wildlife attractants within airport property. Vegetation consists of mainly non-native FAC classified species and is managed by mowing the grasses to reduce wildlife attractants/habitat on the runway. Boundaries were delineated using the slight concave form of the wetlands transitioning to flat uplands as well as change in vegetation. The adjacent upland soils lack hydrology indicators and did not show signs of flowing into the stormwater system. Soils are mapped as urban lands within the study area. Wetlands would not transfer organic nutrients or seeds to downstream waters due to morphology on landscape, distances from the stormwater outlets, and lack of indicators that water does flow from these wetlands to the stormwater system.
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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 aquatic 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: .

Summarize rationale supporting determination: .

2. Wetland adjacent to TNW
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 tributary with perennial flow, skip to Section III.D.4.

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[4] 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: **Pick List**
Drainage area: **Pick List**
Average annual rainfall: inches
Average annual snowfall: inches

(ii) Physical Characteristics:
(a) Relationship with TNW:

[4] Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

☐ Tributary flows directly into TNW.
☐ Tributary flows through **Pick List** tributaries before entering TNW.

Project waters are **Pick List** river miles from TNW.
Project waters are **Pick List** river miles from RPW.
Project waters are **Pick List** aerial (straight) miles from TNW.
Project waters are **Pick List** aerial (straight) miles from RPW.
Project waters cross or serve as state boundaries. Explain: .

Identify flow route to TNW[5]: .
Tributary stream order, if known: .

(b) General Tributary Characteristics (check all that apply):
Tributary is: ☐ Natural
☐ Artificial (man-made). Explain: .
☐ Manipulated (man-altered). Explain: .

Tributary properties with respect to top of bank (estimate):
Average width: feet
Average depth: feet
Average side slopes: **Pick List.**

Primary tributary substrate composition (check all that apply):
☐ Silts ☐ Sands ☐ Concrete
☐ Cobbles ☐ Gravel ☐ Muck
☐ Bedrock ☐ Vegetation. Type/% cover:
☐ Other. Explain: .

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: .
Presence of run/riffle/pool complexes. Explain: .
Tributary geometry: **Pick List**
Tributary gradient (approximate average slope): %

(c) Flow:
Tributary provides for: **Pick List**
Estimate average number of flow events in review area/year: **Pick List**
Describe flow regime: .
Other information on duration and volume: .

Surface flow is: **Pick List.** Characteristics: .

Subsurface flow: **Pick List**. Explain findings: .
☐ Dye (or other) test performed: .

Tributary has (check all that apply):
☐ Bed and banks
☐ OHWM[6] (check all indicators that apply):
☐ clear, natural line impressed on the bank ☐ the presence of litter and debris
☐ changes in the character of soil ☐ destruction of terrestrial vegetation
☐ shelving ☐ the presence of wrack line
☐ 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 OHWM.[7] Explain: .

If factors other than the OHWM 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;

[5] Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.
[6]A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.
[7]Ibid.

☐ fine shell or debris deposits (foreshore) ☐ physical markings;
☐ physical markings/characteristics ☐ vegetation lines/changes in vegetation types.
☐ tidal gauges
☐ other (list):

(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 (type, average width): .
☐ 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 findings: .

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW - *Wetland 8 A-2*

(i) Physical Characteristics:

(a) General Wetland Characteristics:
Properties:
Wetland size:0.007 acres
Wetland type. Emergent Explain:Dominated by Festuca arundinacea, Poa spp, Holcus lanatus with a trace of Lupinus bicolor. Vegetation is managed by mowing. .
Wetland quality. Poor Explain: managed by mowing to reduce habitat. Water is a mixture of rain and stormwater runoff.
Project wetlands cross or serve as state boundaries. Explain: .

(b) General Flow Relationship with Non-TNW:
Flow is: **Ephemeral flow**. Explain: .

Surface flow is**: Overland sheetflow**
Characteristics: .

Subsurface flow: **Unknown**. Explain findings: .
☐ Dye (or other) test performed: .

(c) Wetland Adjacency Determination with Non-TNW:
☒ Directly abutting **Wetland A 8-2**
☒ Not directly abutting **Wetlands A8-1**
☐ Discrete wetland hydrologic connection. Explain: .
☐ Ecological connection. Explain: .
☒ Separated by berm/barrier. Explain: Separated from other wetlands by uplands. Wetlands are located in lower depressional areas in a manipulated landscape.

(d) Proximity (Relationship) to TNW
Project wetlands are **5-10** river miles from TNW.
Project waters are **5-10** aerial (straight) miles from TNW.
Flow is from: **No Flow.**
Estimate approximate location of wetland as within the **50 - 100-year** floodplain.

(ii) Chemical Characteristics:

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: No water in wetlands.

Identify specific pollutants, if known: Would contain runoff from the airport and taxiways, road pollutants.

(iii) Biological Characteristics. Wetland supports (check all that apply):

☐ Riparian buffer. Characteristics (type, average width): .
☒ Vegetation type/percent cover. Explain: *Festuca arundinacea* and *Festuca rubra.*.
☐ Habitat for:
☐ Federally Listed species. Explain findings: .
☐ Fish/spawn areas. Explain findings: .
☐ Other environmentally-sensitive species. Explain findings: .

☐ Aquatic/wildlife diversity. Explain findings: .

3. **Characteristics of all wetlands adjacent to the tributary (if any)**
   All wetland(s) being considered in the cumulative analysis: 7
   Approximately (0.1) acres in total are being considered in the cumulative analysis.

   For each wetland, specify the following:

Directly abuts? (Y/N)	Size (in acres)	Directly abuts? (Y/N)	Size (in acres)
A8-2 - N	0.007 ac		

   Summarize overall biological, chemical and physical functions being performed: Onsite wetland holds runoff and rainwater and filter the water as well as allow for sediment deposition. Wetlands A8-1 and A8-2 would likely flood together during storm events and would drain to a downstream water through the stormwater system. A8-2 would contribute seeds to downstream waters during flood events as water from both wetlands would run together and then into the storm water system which exits into Glencoe Swale offsite. Organic material would be transferred between wetlands and stormwater system during high rain events.

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:

- 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?
- Does 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?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does 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 TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D: .

3. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** 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: .

4. **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:

   - A8-2 would have a positive significant nexus to downstream waters. Both wetlands would flood into each other during storm events and would then drain into the stormwater system which exits into Glencoe Swale. Onsite wetlands hold runoff and rainwater and filter the water as well as allow for sediment deposition. The wetlands do not provide habitat for species as they are managed to reduce wildlife attractants on airport property. The wetlands would provide organic material to downstream waters when rain events occur.
   - Wetlands A9, A11, A12, R4 and R5. Negative significant nexus to downstream waters. The vegetation is managed to reduce wildlife attractants within airport property. Vegetation consists of mainly non-native FAC classified species and is managed by mowing the grasses to reduce wildlife attractants/habitat on the runway. Boundaries were delineated using the slight concave form of the wetlands transitioning to flat uplands as well as change in vegetation. The adjacent upland soils lack hydrology indicators and did not show signs of flowing into the stormwater system. Soils are mapped as urban lands within the study area. Wetlands would not transfer organic nutrients or seeds to downstream waters due to

morphology on landscape, distances from the stormwater outlets, and lack of indicators that water does flow from these wetlands to the stormwater system.

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), Or, 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: .
   - ☐ 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 area (check all that apply):
   - ☐ Tributary waters: linear feet width (ft).
   - ☐ Other non-wetland waters: acres.
     Identify type(s) of waters: .

3. **Non-RPWs[8] 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 a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional waters within the review area (check all that apply):
   - ☐ Tributary waters: linear feet width (ft).
   - ☐ Other non-wetland waters: acres.
     Identify type(s) of waters: .

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 an 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 an RPW: .

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**
   - ☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data supporting this conclusion is provided at Section III.C.

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**
   - ☒ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional wetlands in the review area: **Wetlands A8-1 and W8A-2 0.009** acres.

7. **Impoundments of jurisdictional waters.[9]**

[8] See Footnote # 3.
[9] To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.
☐ Demonstrate that impoundment was created from "waters of the U.S.," or
☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):[10]
☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
☐ which are or could be used for industrial purposes by industries in interstate commerce.
☐ Interstate isolated waters. Explain: .
☐ Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

Provide estimates for jurisdictional waters in the review area (check all that apply):
☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .
☐ Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):
☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
☐ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
☒ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain:
- Wetlands A9, A11, A12, R4 and R5. Negative significant nexus to downstream waters. The vegetation is managed to reduce wildlife attractants within airport property. Vegetation consists of mainly non-native FAC classified species and is managed by mowing the grasses to reduce wildlife attractants/habitat on the runway. Boundaries were delineated using the slight concave form of the wetlands transitioning to flat uplands as well as change in vegetation. The adjacent upland soils lack hydrology indicators and did not show signs of flowing into the stormwater system. Soils are mapped as urban lands within the study area. Wetlands would not transfer organic nutrients or seeds to downstream waters due to morphology on landscape, distances from the stormwater outlets, and lack of indicators that water does flow from these wetlands to the stormwater system.

☒ Other: (explain, if not covered above):
- Wetland A5, A6, A7, A10 are part of the stormwater system of the airport. They were created through fill placement and grading to relocate water off of the runway and the creation of the stormwater runoff system for the airport and are located in the stormwater swale. These wetlands are seasonally saturated due to the water running off the airport runway and taxiways.

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):
☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☐ Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):
☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☒ Wetlands: 0.3 acres.

[10] Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA *Memorandum Regarding CWA Act Jurisdiction Following Rapanos.*

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 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: maps provided by applicant
  - ☐ USGS NHD data.
  - ☒ USGS 8 and 12 digit HUC maps.
- ☐ U.S. Geological Survey map(s). Cite scale & quad name: maps provided by applicant
- ☒ 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: (National Geodectic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Google Earth 2015
  or ☒ Other (Name & Date): in Wetland Delineation Report provided by applicant.
- ☐ Previous determination(s). File no. and date of response letter: .
- ☐ Applicable/supporting case law: .
- ☐ Applicable/supporting scientific literature: .
- ☒ Other information (please specify): *Hillsboro Airport Runway Rehabilitation and Helipad – Wetland Delineation Report*. Dated June 2015. Prepared by ESA Vigil-Agrimis.

B. ADDITIONAL COMMENTS TO SUPPORT JD: see below

- Wetland A5 (0.107 ac) - A stormwater swale that was constructed to convey runoff from the runway and taxiway off of the site. The swale was likely created from uplands. Contains multiple catch basins – the water enters these catch basins and flows into the airport stormwater infrastructure where it eventually outfalls a ditch to the south which flows into the Dawson Creek system. Vegetation consists of *Festuca arundinacea*. Vegetation is managed by mowing. Hydric soil indicator is depleted matrix and hydrology indicator is surface water.
- Wetland A6 (0.057 ac) – A stormwater swale. There are catch basins at the middle and south end of the wetland. Dominated by *Festuca arundinacea* and *Festuca rubra.* Vegetation is managed by mowing. Hydric soil indicators include depleted matrix and redox dark surface. Hydrology indicators include surface water and saturation.
- Wetland A7 (0.023 ac) - A stormwater swale. There are catch basins at the west end of the wetland. Dominated by *Festuca arundinacea* and *Festuca rubra.* Vegetation is managed by mowing. Hydric soil indicator is depleted matrix. Hydrology indicators include surface water and sparsely vegetated concave surface.
- Wetland A8-1 (0.002 ac) and Wetland A8-2 (0.007 ac) – Located within a stormwater swale but does not appear to be formed as part of the stormwater system. A 8-2 is directly adjacent to the stormwater system drain. This swale drains the airport and flows to the south following the graded land. Dominated by *Festuca arundinacea, Poa spp*, *Holcus lanatus* with a trace of *Lupinus bicolor*. Vegetation is managed by mowing. Top six inches consist of finely textured sand and hydric soil indicator is depleted matrix. Hydrology indicators include surface soil cracks and sparsely vegetated concaves surface, and geomorphic position.
- Wetland A9 (0.002 ac) - Located in a stormwater swale which drains at the center of the grass island. Vegetation is managed by mowing.
- Wetland A10 (0.113 ac) – A stormwater swale created to drain the field at the south end of the runway. Water in this wetland flows south where it enters a catch basin then flows into the City of Hillsboro stormwater system. The swale was likely created from uplands. Dominated by *Holcus lanatus*, *Poa spp*., and *Festuca arundinacea*. Vegetation is managed by mowing. Soil indicator includes depleted matrix. Hydrology indicators incudes surface soil cracks, sparsely vegetated concave surface and geomorphic position.
- Wetland A11 0.037 ac) – Vegetation consists of *Festuca arundinace*a. Vegetation is managed by mowing. Hydric soil indicators include depleted matrix and redox dark surface. Gravel refusal at 8 inches. Hydrology include surface soil cracks, sparsely vegetated concave surface and geomorphic position.
- Wetland A12 (0.01 ac) - Vegetation is managed by mowing.
- Wetland R4 (0.032 ac) - Vegetation managed by mowing. Vegetation dominated by *Festuca arundinacea, Phalaris arundinacea,* and *Festuca spp.* Soil profile contains a depleted matrix. Hydrology indicators include surface soil cracks, sparsely vegetated concave surface and geomorphic position.
- Wetland R5 (0.023 ac) – Vegetation managed by mowing.