



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 8/19/2020
 ORM Number: NWP-2020-172
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Oregon City: Springfield County/Parish/Borough: Lane
 Center Coordinates of Review Area: Latitude 44.069687° N Longitude 122.983113° W

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³			
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A.	N/A.	N/A.	N/A.

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A.	N/A.	N/A.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):			
(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A.	N/A.	N/A.	N/A.

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District’s list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
NWP-2020-172 Site 1 Wetland A	0.01	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A is not located in the floodplain and there are no waterways near the wetland. The wetland is not abutting or adjacent to a water of the U.S. The wetland is physically isolated, not flooded in a typical year by a tributary, and not adjacent to an (a)(1)-(a)(3) water.
NWP-2020-172 Site 2 Wetland B	0.14	acre(s)	(b)(1) Non-adjacent wetland.	Wetland B is not located in the floodplain and there are no waterways near the wetland. The wetland is not abutting or adjacent to a water of the U.S. The wetland is physically isolated, not flooded in a typical year by a tributary, and not adjacent to an (a)(1)-(a)(3) water.
NWP-2020-172 Site 3 Wetland D	0.08	acre(s)	(b)(1) Non-adjacent wetland.	Wetland D is not located in the floodplain and there are no waterways near the wetland. The wetland is not abutting or adjacent to a water of the U.S. The wetland is physically isolated, not flooded in a typical year by a tributary, and not adjacent to an (a)(1)-(a)(3) water.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

Information submitted by, or on behalf of, the applicant/consultant: [Marcola Meadows Wetland Delineation, dated March 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [The wetland delineation was completed by using the U.S. Army Corps of Engineers 1987 wetland delineation manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region to determine the boundaries of Wetland A, B, and D.](#)

Data sheets prepared by the Corps: [N/A](#)

Photographs: [Aerial and Other: Google Earth 2019 and Delineation Site Photos 2020.](#)

Corps site visit(s) conducted on: [N/A](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [Lane County Soil Survey Map-Salem Gravelly Silt Loam \(118\), well drained, non-hydric, completed December 2019 and reviewed April 2020.](#)

USFWS NWI maps: [USFWS NWI Map completed December 2019 and reviewed on April 2020 and August 2020.](#)

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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USGS topographic maps: 1:24K Springfield, completed December 2019 and reviewed on April 2020 and August 2020.

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS 8, 10, 12 digit HUC maps	HUC # 17090003, the site is on the boundary of two HUC's.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	National Hydrological Data maps reflect there are no waterways within the project area. The USFWS NWI Map reflects Pierce Ditch being located nearby and is not within the review area.

B. Typical year assessment(s): The antecedent precipitation tool (APT) was utilized for the timing of the wetland delineation on 1 March 2020, ran on 18 August 2020, to determine if the site was reviewed during dryer than normal circumstances. The APT determined the wetland delineation review of the site was performed during a typically wetter time of the year and the site was in lower than normal rainfall conditions. The two months prior to the site visit, the rainfall was within normal ranges with a drop in rainfall below normal rainfall for the three weeks prior to the site visit. Two days prior to the site visit the site received approximately two inches of rain and the graph makes a small spike to half the normal rainfall conditions. Therefore the Corps can conclude circumstances during the delineation of the site were a drier than a typical month of March and the drought index indicated the visit was during normal rainfall conditions.

C. Additional comments to support AJD: No (a)(1)-(a)(3) water of the U.S. is located near or adjacent to the wetlands. Therefore the wetlands located within the review area are isolated and are not jurisdictional.