



**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): 8/20/2020
 ORM Number: NWP-2020-299
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Oregon City: Eugene County/Parish/Borough: Lane
 Center Coordinates of Review Area: Latitude 44.114911 Longitude -123.211519

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-2020-299 Ditch A	0.05 acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This ditch feature was delineated with an ordinary high water mark during the wetland delineation of the review area. No wetlands were found adjacent to or abutting the ditch. The flows within the ditch are stormwater driven and received from the upland areas nearby. The stormwater is discharged offsite into another stormwater conveyance and ultimately into the Willamette River. There are no (a)(1)-(a)(3) waters of the U.S. in the review area.

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: [Wetland Delineation Eugene Airport Fuel Tank CATEX, dated July 16, 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [The delineator completed a wetland delineation which followed the U.S. Army Corps of Engineers 1987 wetland delineation manual and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region to determine the boundaries of the waters within the review area.](#)

- Data sheets prepared by the Corps: [N/A](#)
- Photographs: [Aerial and Other: Google Earth 2019 & 2020, 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: [Survey provided with Wetland Delineation 2020](#)
- USFWS NWI maps: [Map provided with Wetland Delineation 2020](#)
- USGS topographic maps: [EUGENE WEST 1:24K reviewed August 19, 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 #170900030108
USDA NRCS WETS tables	Information provided with Wetland Delineation dated July 2020
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.

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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Data Source (select)	Name and/or date and other relevant information
Other Sources	N/A.

- B. Typical year assessment(s):** The antecedent precipitation tool was ran on August 19, 2020 for the timing of the wetland delineation work on January 8, 2020 to determine if the site was reviewed during normal circumstances. The APT determined the review was performed during the wetter time of the year. The site was in a mild drought with drier than normal rainfall conditions. In verification of the findings for the wetland delineation, in the two months prior to the site visit, the rainfall was below normal rainfall with rainfall increasing to near normal conditions approximately two weeks prior to the site visit. Therefore, the Corps has determined the rainfall prior to the delineation of the site on January 8, 2020 were drier than normal circumstances and the site was in a mild drought due to the lack of normal rainfall in late October through the middle of December 2019.
- C. Additional comments to support AJD:** Review of the delineation and the conditions of the site reflected a prevalence of wetland vegetation and hydrology were present at each sampling location. The soils at each location reflected the loam soils anticipated for the site and did not meet any of the hydric soil indicators. Soils within Ditch A did meet hydric indicators due to the permanence of ephemeral stormwater flows through the Ditch to receiving surface waters. No wetlands were delineated within the study area and no wetlands were delineated adjacent to or abutting Ditch A. The fields surrounding the airport are in agricultural use and grow hay for livestock and does not require intensive watering.