



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): January 8, 2021

ORM Number: NWP-2020-86

Associated JDs: N/A

Review Area Location¹:

State/Territory: Oregon City: N/A County/Parish/Borough: Wasco County

Center Coordinates of Review Area: Latitude 45.158034 Longitude -120.880186

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 or describe rationale.
- 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
NWP-2020-86 ST 504	500 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	ST-504 is located in a branch of Salt Creek south of Bakeoven Road. The Wetland Delineation Report includes a completed SDAM field assessment form for ST-504 with a finding that ST-504 is an intermittent stream. Based on this information, the Corps has determined that this branch of Salt Creek at ST-504

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 independent 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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			as an intermittent tributary that contributes surface water flow in a typical year indirectly, via Bakeoven Creek and the Deschutes River, to the Columbia River which is an (a)(1) navigable water of the U.S. per the Portland District's list of navigable waters in Oregon.
NWP-2020-86 ST 700	300 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	ST-700 contributes surface water flow to the upper reach of Salt Creek (upstream of ST-800). The Wetland Delineation Report includes a completed SDAM field assessment form for ST-700 with a finding that ST-700 is an intermittent stream. Based on this information, the Corps has determined that ST-700 is an intermittent stream that contributes surface water flow in a typical year to Salt Creek which contributes surface water flow indirectly, via Bakeoven Creek and the Deschutes River, to the Columbia River which is an (a)(1) navigable water of the U.S. per the Portland District's list of navigable waters in Oregon.
NWP-2020-86 ST 800	125 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	ST-800 is located in the upper reach of Salt Creek. The Corps has determined that this branch of Salt Creek is an intermittent tributary that contributes surface water flow indirectly in a typical year, via Bakeoven Creek and the Deschutes River, to the Columbia River which is an (a)(1) navigable water of the U.S. per the Portland District's list of navigable waters in Oregon. See Section III B for typical year assessment.

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
NWP-2020-86 Wetland 411	0.01 acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial	Wetland is separated from Salt Creek by a road with a culvert that allows direct hydrologic surface connection between



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		structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water in a typical year	Wetland 411 and Salt Creek. See Section III B for typical year assessment and additional information on indirect flow.
NWP-2020-86 Wetland 502	0.03 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland abuts stream ST-504, which is an (a)(2) tributary at this location.
NWP-2020-86 Wetland 704	0.04 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland abuts stream ST-700, which is an (a)(2) tributary at this location.
NWP-2020-86 Wetland 705	0.04 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland abuts stream ST-700, which is an (a)(2) tributary at this location.
NWP-2020-86 Wetland 800	0.07 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland abuts stream ST-800, which is an (a)(2) tributary at this location.
NWP-2020-86 Wetland 804	0.42 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland abuts Salt Creek, which is an (a)(2) tributary at this location.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
NWP-2020-86 PD 300	0.57 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.
NWP-2020-86 PD 301	0.57 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an	Pond excavated in uplands.

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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		impoundment of a jurisdictional water that meets (c)(6)	
NWP-2020-86 PD 302	0.04 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.
NWP-2020-86 PD 303	0.05 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.
NWP-2020-86 PD 304	0.3 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.
NWP-2020-86 PD 305	0.27 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.
NWP-2020-86 PD 306	0.1 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a	Pond excavated in uplands.



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		jurisdictional water that meets (c)(6)	
NWP-2020-86 PD 307	0.05 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.
NWP-2020-86 PD 402	0.57 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.
NWP-2020-86 PD 500	0.13 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.
NWP-2020-86 PD 501	0.03 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.
NWP-2020-86 PD 502	0.03 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.



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NWP-2020-86 ST 310	700 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The Wetland Delineation Report did not include an assessment of ST 310 using the Streamflow Duration Assessment Method (SDAM) method, but the Report includes photos and information that indicate ephemeral characteristics. See Section III B for typical year assessment.
NWP-2020-86 ST 311	300 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	SDAM completed with finding of ephemeral flow.
NWP-2020-86 ST 312	600 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The Wetland Delineation Report (Report) did not include an assessment of ST 312 using the SDAM method, but the Report includes photos and information that indicate ephemeral characteristics. See Section III B for typical year assessment.
NWP-2020-86 ST 313	400 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	SDAM completed with finding of ephemeral flow.
NWP-2020-86 ST 315A	2300 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The Wetland Delineation Report (Report) did not include an assessment of ST 315A using the SDAM method, but the Report includes photos and information that indicate ephemeral characteristics. See Section III B for typical year assessment.
NWP-2020-86 ST 315B	600 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The Wetland Delineation Report (Report) did not include an assessment of ST 315B using the SDAM method, but the Report includes photos and information that indicate ephemeral characteristics. See Section III B for typical year assessment.
NWP-2020-86 ST 405	300 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The Wetland Delineation Report (Report) did not include an assessment of ST 405 using the SDAM method, but the Report includes photos and information that indicate ephemeral characteristics. See Section III B for typical year assessment.
NWP-2020-86 ST 502	525 feet	(b)(3) Ephemeral feature, including an ephemeral	SDAM completed with finding of ephemeral flow.



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		stream, swale, gully, rill, or pool	
NWP-2020-86 ST 503	50 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The Wetland Delineation Report did not complete an assessment of ST 503 using the SDAM method, but the Report includes photos and information that indicate ephemeral characteristics. See Section III B for typical year assessment.
NWP-2020-86 ST 801	400 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The Wetland Delineation Report did not include an assessment of ST 801 using the SDAM method, but the Report includes photos and information that indicate ephemeral characteristics. See Section III B for typical year assessment.
NWP-2020-86 ST 802	400 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	SDAM completed with finding of ephemeral flow.
NWP-2020-86 Wetland 307	0.64 acres	(b)(1) Non-adjacent wetland	Wetland is not adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 308	0.09 acres	(b)(1) Non-adjacent wetland	Wetland is not adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 309	0.01 acres	(b)(1) Non-adjacent wetland	Wetland is not adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 310	1.09 acres	(b)(1) Non-adjacent wetland	Wetland is not adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 408	1.63 acres	(b)(1) Non-adjacent wetland	Wetland is not adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 409	1.57 acres	(b)(1) Non-adjacent wetland	Wetland is not adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 410A	0.018 acres	(b)(1) Non-adjacent wetland	Wetland is not adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 410B	0.25 acres	(b)(1) Non-adjacent wetland	Wetland is not adjacent to an (a)(1)-(a)(3) water and is not contiguous with Wetland 411.
NWP-2020-86 Wetland 412	0.35 acres	(b)(1) Non-adjacent wetland	Wet-412, 413, 414, 415, 416,417,418 and 420 are a series of impoundments of an upland swale and are not



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			constructed in or adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 413	0.01 acres	(b)(1) Non-adjacent wetland	Wet-412, 413, 414, 415, 416,417,418 and 420 are a series of impoundments of an upland swale and are not constructed in or adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 414	0.16 acres	(b)(1) Non-adjacent wetland	Wet-412, 413, 414, 415, 416,417,418 and 420 are a series of impoundments of an upland swale and are not constructed in or adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 415	0.19 acres	(b)(1) Non-adjacent wetland	Wet-412, 413, 414, 415, 416,417,418 and 420 are a series of impoundments of an upland swale and are not constructed in or adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 416	0.12 acres	(b)(1) Non-adjacent wetland	Wet-412, 413, 414, 415, 416,417,418 and 420 are a series of impoundments of an upland swale and are not constructed in or adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 417	0.41 acres	(b)(1) Non-adjacent wetland	Wet-412, 413, 414, 415, 416,417,418 and 420 are a series of impoundments of an upland swale and are not constructed in or adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 418	0.42 acres	(b)(1) Non-adjacent wetland	Wet-412, 413, 414, 415, 416,417,418 and 420 are a series of impoundments of an upland swale and are not constructed in or adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 420	0.05 acres	(b)(1) Non-adjacent wetland	Wet-412, 413, 414, 415, 416,417,418 and 420 are a series of impoundments of an upland swale and are not constructed in or adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 421	0.22 acres	(b)(1) Non-adjacent wetland	Wetland is not adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 700	0.06 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a	Pond excavated in uplands.



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		jurisdictional water that meets (c)(6)	
NWP-2020-86 Wetland 701	0.05 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Pond excavated in uplands.
NWP-2020-86 Wetland 702	0.14 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Wetland is an impoundment of an upland swale and not constructed in or adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 703	0.07 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Wetland is an impoundment of an upland swale and not constructed in or adjacent to an (a)(1)-(a)(3) water.
NWP-2020-86 Wetland 801	0.2 acres	(b)(1) Non-adjacent wetland	Wetland south of Bakeoven Road connected to Wet-803 via a culvert under Bakeoven Road. The wetland is located in the upper reaches of an unnamed tributary to Buck Hollow Creek, which is not intermittent at this location. The wetland is not adjacent to an (a)(1)-(a)(3) water based on available information. Note: this determination only applies to the vicinity of Wet-801 and not the entire reach of the unnamed tributary to Buck Hollow Creek.
NWP-2020-86 Wetland 802	1.41 acres	(b)(1) Non-adjacent wetland	Wetland north of Bakeoven Road. The wetland is located in the upper reaches of an unnamed tributary to Buck Hollow Creek, which is not intermittent at this location. The wetland is not



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			adjacent to an (a)(1)-(a)(3) water based on available information. Note: this determination only applies to the vicinity of Wet-802 and not the entire reach of the unnamed tributary to Buck Hollow Creek.
NWP-2020-86 Wetland 803	0.31 acres	(b)(1) Non-adjacent wetland	Wetland is 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: *Bakeoven Solar Project Wetland Delineation Report* dated July 2019.
This information is sufficient for purposes of this AJD.
Rationale: N/A
- Data sheets prepared by the Corps: N/A
- Photographs: Aerial – Google Earth aerial photo dated: April 2015. All other years available in Google Earth were reviewed for the presence/absence of surface flow in a typical year.
- 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: *Title(s) and/or date(s).*
- USFWS NWI maps: *Title(s) and/or date(s).*
- USGS topographic maps: 1:24,000 Quad topographic maps

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): The term tributary means a river, stream or similar naturally occurring surface water channel that contributes surface water flow to a water identified in 33 CFR 328.3(a)(1) in a typical year either directly or indirectly or through one or more waters identified in paragraph (a)(2), (a)(3), or (a)(4). A tributary must be perennial or intermittent in a typical year. The alteration or relocation of a tributary does not modify its jurisdictional status as long as it satisfies the flow conditions for a tributary. A tributary does not lose its jurisdictional status if it contributes surface water flow to a downstream jurisdictional water in a typical year through a channelized non-jurisdictional surface water feature (e.g., culvert). The term typical year means when precipitation and other climatic variables are within the normal periodic range (e.g., seasonally, annually) for the geographic area of the applicable aquatic resource based on a rolling thirty-year period.



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The Review Area is in the arid west region located east of the Cascade Mountains in Land Resource Region B. The climate is semi-arid with average annual temperatures of 40 to 49 °F (5 to 10 °C) in much of the area and average annual precipitation in lowland areas ranging from 6 to 20 in. Summers are generally hot and dry with a long summer dry season. Average annual precipitation <15 in. and most precipitation falls as rain.

The Corps reviewed the output from the Antecedent Precipitation Tool (APT) for the Review Area vicinity for 29 June 2018, which is the timeframe for many of the photographs and wetland delineation data forms from the Wetland Delineation Report. The APT is an automation tool that rapidly evaluates climatic parameters for a given location. The APT is one tool that the Corps may use to determine and document typical year conditions. The APT is available online (<https://github.com/jDeters-USACE/Antecedent-Precipitation-Tool/releases/tag/v1.0.13>). The APT output indicates the 2018 site visits were conducted in a “typical year.”

The Wetland Delineation Report indicates site visits were conducted in June, July, October, and December 2018. Output from the APT indicates a wet spring in 2018, but precipitation based on the three months prior to the June 2018 field work on the wetland delineation data forms was in the normal range (low end of the normal range).

Streamflow duration assessment methods may also be used to determine the flow conditions of a stream. The Wetland Delineation Report indicates the *Streamflow Duration Assessment Method for the Pacific Northwest* (2015) was applied to several potential tributaries to assess flow conditions. The SDAM is a rapid assessment method that uses geomorphic, hydrologic and biologic stream attributes to determine if a stream is perennial, intermittent or ephemeral.

ST-800 is located in the upper reach of Salt Creek in Dead Dog Canyon (Note: topographic maps do not label the name of the stream in this vicinity and this reach of the stream is considered Salt Creek for the purposes of this AJD). The Wetland Delineation Report identifies ST-800 as an intermittent stream but did not include an SDAM assessment. The Wetland Delineation Report includes photos of the stream at ST-800 dated 12 December 2018 that show flowing water (Photos 255, 258, 259 and 260). The ATP output for 12 December 2018 indicates the three months prior to December 2018 were drier than normal, but the photos show the stream has surface water. Based on this information, the Corps has determined that this branch of Salt Creek is an intermittent tributary that contributes surface water flow indirectly, via Bakeoven Creek and the Deschutes River, to an (a)(1) water in a typical year.

Wetland 411 flows via a culvert into the upper reach of Salt Creek (upstream of ST-700). The Corps reviewed available aerial photos for representative flow in a typical year. Salt Creek below Wetland 411 exhibits surface flow in a Google Earth aerial photo dated 19 April 2015. The ATP output for 19 April 2015 indicates the three months prior to April 2015 were drier than normal and precipitation in the Fall 2014 and Winter 2015 was generally in the normal range. Based on available information, the Corps has determined the reach of Salt Creek below Wetland 411 is an intermittent tributary that contribute surface water flow indirectly, via Bakeoven Creek and the Deschutes River, to an (a)(1) water in a typical year.

Ephemeral Features ST 310, ST 312, ST 315A, ST 315B, ST 405, ST 503, and ST 801: The Wetland Delineation Report identifies these features as ephemeral but did not include an SDAM assessment. The Wetland Delineation Report includes photos dated June-July 2018 and December 2018 that do



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not show flowing water. The ATP output for 29 June 2018 indicates conditions of normal precipitation the three months prior to June 2018 and the ATP output for 12 December 2018 indicates the three months prior to December 2018 were drier than normal. Google Earth aerial photos did not show surface water at these locations.

- C. Additional comments to support AJD:** The Review Area is approximately 4,482 acres. The majority of the Review Area is in the Bakeoven Creek watershed (HUC 1707030607). Salt Creek is the primary tributary to Bakeoven Creek within the Review Area. Minor, northern portions of the Review Area are in the Buck Hollow Creek watershed (HUC 1707030610). Based on aerial photos, these streams have surface water during the winter and spring but lack surface water in late summer.

Many of the aquatic resources in the review area have been altered by the construction of roads and utilities and through ranching and agricultural activities. The ranching and agricultural activities have resulted in the alteration of waters and wetlands to include: plowing and planting of swales and tributaries, impoundments of tributaries, impoundments of uplands to collect and retain water, excavation of ponds to retain water, and/or alterations to hydrology from draining or application or irrigation.

The upper reach of Salt Creek both below and above the vicinity of ST-800 has been altered with impoundments and irrigation practices. Waters of the United States do not include artificially irrigated areas that would revert to uplands if the application of irrigation water were ceased. However, the Corps does not have sufficient information to conclude that waters identified as jurisdictional in this AJD would not persist, or persist at a smaller scale, absent irrigation water. The inclusion or exclusion of waters as jurisdictional in this AJD was not based on irrigation water.

Based on mapping and aerial photo resources, the Wetland Delineation Report investigated many locations for the presence of streams or wetlands. The feature names at these investigation points were identified with an "XBB" label and their location was included on the wetland delineation maps. These features are not included in Section II above, because there are no waters or water features, including wetlands, at these locations. For completeness, the XBB features are listed in the table below:

Feature Name	Description
NWP-2020-86 XBB 405	No wetland or stream at this location.
NWP-2020-86 XBB 406	No wetland or stream at this location.
NWP-2020-86 XBB 407	No wetland or stream at this location.
NWP-2020-86 XBB 408	No wetland or stream at this location.
NWP-2020-86 XBB 409	No wetland or stream at this location.
NWP-2020-86 XBB 411	No wetland or stream at this location.
NWP-2020-86 XBB 412	No wetland or stream at this location.
NWP-2020-86 XBB 413	No wetland or stream at this location.
NWP-2020-86 XBB 500	No wetland or stream at this location.
NWP-2020-86 XBB 501	No wetland or stream at this location.
NWP-2020-86 XBB 502	No wetland or stream at this location.
NWP-2020-86 XBB 610	No wetland or stream at this location.
NWP-2020-86 XBB 611	No wetland or stream at this location.



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

NWP-2020-86 XBB 612	No wetland or stream at this location.
NWP-2020-86 XBB 613	No wetland or stream at this location.
NWP-2020-86 XBB 614	No wetland or stream at this location.
NWP-2020-86 XBB 615	No wetland or stream at this location.
NWP-2020-86 XBB 616	No wetland or stream at this location.
NWP-2020-86 XBB 617	No wetland or stream at this location.
NWP-2020-86 XBB 618	No wetland or stream at this location.
NWP-2020-86 XBB 700	No wetland or stream at this location.
NWP-2020-86 XBB 701	No wetland or stream at this location.
NWP-2020-86 XBB 702	No wetland or stream at this location.
NWP-2020-86 XBB 703	No wetland or stream at this location.
NWP-2020-86 XBB 800	No wetland or stream at this location.
NWP-2020-86 XBB 801	No wetland or stream at this location.
NWP-2020-86 XBB 802	No wetland or stream at this location.
NWP-2020-86 XBB 803	No wetland or stream at this location.