



**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): 1/28/2021
 ORM Number: NWP-2020-00485
 Associated JDs: N/A
 Review Area Location¹: State/Territory: OR City: Corvallis County/Parish/Borough: Benton
 Center Coordinates of Review Area: Latitude 44.5372° Longitude -123.2681°

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
Wetland 1	0.42	acre(s)	(b)(1) Non-adjacent wetland.	This wetland is excluded as a non-adjacent wetland. Based on a desktop review of the Review Area and agent supplied information (maps, figures, datasheets, aerial images, and remote sensing tools), the Review Area contains a 0.42 acre depressional wetland located within an agricultural field on the eastern portion of the Review Area. The southeastern portion of the Review Area consists of several homes and dwellings. Wetland 1 does not directly abut an (a)(1) - (a)(3) water as it is surrounded by uplands. This wetland is not inundated by flooding from an (a)(1) - (a)(3) water in a typical year or separated from an (a)(1) - (a)(3) water only by a natural feature. Furthermore, this wetland is not separated from an (a)(1) - (a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetlands and the (a)(1) - (a)(3) water in a typical year. Wetland 1 is recognized as an excluded water pursuant to the (b)(1) exclusion of the Navigable Waters Protection Rule (NWPR).
Wetland 2	1.77	acre(s)	(b)(1) Non-adjacent wetland.	This wetland is excluded as a non-adjacent wetland. Based on a desktop review of the Review Area and agent supplied information (maps, figures, datasheets, aerial images, and remote sensing tools), the Review Area contains a 1.77 acre depressional wetland located within an agricultural field on the western portion of the Review Area. SW Wake Robin Avenue bounds the northern edge of Wetland 2. A warehouse-like building and numerous shipping containers placed on an impervious surface bound the western edge of Wetland 2. SW Goodnight Avenue forms the southern boundary of Wetland 2. Wetland 2 does not directly abut an (a)(1) - (a)(3). This wetland is not inundated by flooding from an (a)(1) - (a)(3) water in a typical year or separated from an (a)(1) - (a)(3) water only by a natural feature. Furthermore, this wetland is not separated from an (a)(1) - (a)(3) water only by an artificial structure allowing 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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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
			direct hydrologic surface connection between the wetlands and the (a)(1) - (a)(3) water in a typical year. Wetland 2 is recognized as an excluded water pursuant to the (b)(1) exclusion of the NWPR.

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 Report for Southwest Wake Robin Avenue Corvallis, Oregon”](#) as produced by Turnstone Environmental Consultants on 22 October 2020.

This information is sufficient for purposes of this AJD.

Rationale: The agent 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](#): During the course of this review, the Corps utilized photographs provided within the wetland delineation and Google Earth Pro aerial photographs dated 01/2021, 08/2005, and Google Street View imagery from 08/2016.
- 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: [Corps staff accessed the U.S. Geologic Survey \(USGS\) WebSoil Survey tool on 11 January 2021 \(<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>\)](#)
- USFWS NWI maps: [Corps’ staff utilized the National Wetland Inventory mapping exhibit within the wetland delineation materials.](#)
- USGS topographic maps: [Corps staff accessed the USGS Topographic Map Viewer on 11 January 2020 \(<https://ngmdb.usgs.gov/topoview/viewer/#15/44.5316/-123.2721>\)](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	The Corps’ obtained the National Hydrography Dataset information from the Corps’ eGIS WebViewer on 11 January 2021.
Other 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 Corps utilized the Antecedent Precipitation Tool (APT) to conduct a typical year analysis to determine if climatic and rainfall conditions were normal on the day of the wetland delineation data was captured by the consultant (12 October 2020). The APT demonstrated that the site



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conditions represent a wet time of year, that the general region and site were in a moderate drought, and that the climatic conditions of the site were normal. Based on this APT analysis, wetland delineation data, and aerial imagery the Corps' concludes that the site conditions were normal during the wetland delineation field work.

- C. Additional comments to support AJD:** The review area encompasses an 8.71 acre tract of land in Corvallis, Benton County, Oregon. The site is generally flat, however there are shallow swales and gentle rises throughout. Per a review of the Corps' eGIS WebViewer, the project is not located within a Federal Emergency Management Agency Floodrate Insurance Map floodplain.

The requestor utilized the methods described in the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual and appropriate Regional Supplement (Western Mountains, Valleys, and Coasts) to determine the boundaries of Wetlands 1 and 2.