



**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): [3/2/2021](#)
 ORM Number: [NWP-2021-094](#)
 Associated JDs: [NWP-2020-425](#)
 Review Area Location¹: State/Territory: [Oregon](#) City: [Corvallis](#) County/Parish/Borough: [Benton](#)
 Center Coordinates of Review Area: Latitude [44.54525°](#) Longitude [-123.31378°](#)

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.



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

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland A	3.33	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland A continues offsite in two locations; to the northwest and to the southwest of the Review Area.</p> <p>The ditch located north of the Review Area directly south of SW Country Club Drive and east of SW 53rd Avenue is not subject to review within this Approved Jurisdictional Determination. Wetland A continues offsite, outside of the Review Area to the northwest of the Review Area and into this ditch. The ditch is not an adjacent wetland (a)(4), is not a lake, pond, or impoundment of jurisdictional waters (a)(3), is not a relocated tributary (a)(2) nor is it a navigable water (a)(1).</p> <p>Wetland A also continues outside of the Review Area at the southern and western boundary of the Review Area. Based on a review of Oregon Department of Geology and Mineral Industries (DOGAMI) Lidar and topographic maps, the elevation gradually rises to the southwest, until the landscape reaches 300 feet in elevation. Outside and west of the Review Area the southern finger of Wetland A abuts a small ditch that is flows north to the ditch discussed above which is located directly south of SW Country Club Drive. The U.S. Geologic Survey (USGS) Stream Stats Raindrop flowpath tool indicates surface water within this ditch flows north to the ditch south of SW Country Club Drive and surface water flow within the ditch directly south of SW Country Club Drive, located outside of the Corps Review area, flows east.</p> <p>Therefore, although Wetland A connects to the ditch located south of SW Country Club Drive in several ways. Ultimately, this ditch is not an adjacent wetland (a)(4), is not a relocated tributary (a)(2) nor a lake, pond, or impoundment of jurisdictional waters (a)(3), and is not a navigable water (a)(1). The Corps has</p>

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.



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

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
			determined Wetland A meets the (b)(1) exclusion as a non-adjacent wetland pursuant to the Navigable Waters Protection Rule (NWPR).wetland pursuant to the Navigable Waters Protection Rule (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 SW 53rd & Country Club” dated 20 December 2016 and produced by Turnstone Environmental Consultants. This wetland delineation was received by U.S. Army Corps of Engineers (USACE) Staff on 12 February 2021.

This information is sufficient for purposes of this AJD.

Rationale: *N/A*

Data sheets prepared by the Corps: *N/A*

Photographs: *Aerial and Other: Aerial* photographs dated 2016 and 2011 retrieved from the USACE Regulatory Web Viewer on 19 February 2021. Ground level images from the provided wetland delineation were also used.

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: *Web Soil Survey* information obtained by USACE Staff on 19 February 2021 from <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

USFWS NWI maps: *National Wetland Inventory (NWI) Map* obtained from the USACE Regulatory Web Viewer by USACE Staff on 19 February 2021.

USGS topographic maps: *2020 and 1969 USGS Corvallis Topographic Quadrangle Map* retrieved by USACE staff on 17 and 19 February from <https://ngmdb.usgs.gov/topoview/viewer/#15/44.5368/-123.2713>

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	National Hydrography Dataset information retrieved by USACE Staff on 19 February 2021 from USACE Regulatory Web Viewer. United States Geological Survey (USGS) StreamStats Raindrop Path data retrieved by USACE Staff on 19 February 2021 from https://streamstats.usgs.gov/ss/
USDA Sources	Natural Resource Conservation Service (NRCS) Soil Survey Geographic Database (SSURGO) information retrieved from USACE Regulatory Web Viewer by USACE staff on 19 February 2021.
NOAA Sources	<i>N/A.</i>
USACE Sources	<i>N/A.</i>
State/Local/Tribal Sources	DOGAMI Lidar information obtained by USACE Staff on 19 February 2021 from https://gis.dogami.oregon.gov/maps/lidarviewer/ . Local Wetland Inventory (LWI) information retrieved by USACE Staff on 19 February 2021 from Oregon Department of State Lands website



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

Data Source (select)	Name and/or date and other relevant information
	https://www.oregon.gov/dsl/ww/Pages/Inventories.aspx . City of Corvallis Stormwater Utility Map obtained by USACE Staff on 19 February 2021 from https://corvallisoregon.maps.arcgis.com/apps/webappviewer/index.html?id=d098de302300453eaaf0c506b289c0f5
Other Sources	N/A.

B. Typical year assessment(s): [N/A.](#)

C. Additional comments to support AJD: [The Review Area consists of a 6.31 acre site at the corner of SW 53rd Street and SW Country Club Drive in Corvallis, Oregon. The Review Area is largely flat with a single family home in the southeastern portion of the site. The site is bounded by SW Country Club Drive to the north, SW 53rd Street to the east, a neighboring single family home and yard to the south, and an agricultural field to the west.](#)