



**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): 4/19/2021

ORM Number: NWP-2021-082

Associated JDs: N/A

Review Area Location<sup>1</sup>: State/Territory: Oregon City: Eugene County/Parish/Borough: Lane County

Center Coordinates of Review Area: Latitude 44.106157 Longitude -123.094136

**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)<sup>2</sup>**

§ 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): <sup>3</sup>			
(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.

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

<sup>2</sup> 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.

<sup>3</sup> 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)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Wetland 1	0.06	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland 1 is a 0.06-acre wetland located in the northern portion of the Review Area. Wetland 1 drains via pipe to Pond 1.</p> <p>This wetland does not directly abut an (a)(1)-(a)(3) water as it connects to Pond 1 which was not determined to be a (a)(1)-(3) water, see below. This wetland is not inundated by flooding in a typical year nor 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.</p>
Wetland 2	0.34	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland 2 is 0.34-acre wetland located in the western portion of the Review Area. Wetland 2 is a natural feature that collects irrigation runoff from the adjacent golf course and piped overflow from Pond 3 and Wetland 3. There is a pumphouse located on the north side of wetland two that is piped to the Willamette River, the pump operates during peak events outside of a typical year.</p> <p>This wetland does not directly abut an (a)(1)-(a)(3) water as it is surrounded by uplands that are higher in elevation. This wetland is not inundated by flooding in a typical year nor 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, as it separated from the Willamette River by uplands and a bank, and the piped connection occurs outside of the typical year during peak events.</p>
Wetland 3	0.03	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland 3 is a 0.03-acre wetland located in the southern portion of the Review Area. Wetland 3 flows into Pond 3 via pipe.</p>

<sup>4</sup> 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.

<sup>5</sup> 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)): <sup>4</sup>			
Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
			<p>This wetland does not directly abut an (a)(1)-(a)(3) water as it connects to Pond 3 which was not determined to be a (a)(1)-(3) water, see below. This wetland is not inundated by flooding in a typical year nor 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.</p>
Wetland 4	0.02	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland 4 is a 0.02-acre wetland located in the southern portion of the Review Area.</p> <p>This wetland does not directly abut an (a)(1)-(a)(3) water as it is surrounded by uplands. This wetland is not inundated by flooding in a typical year nor 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.</p>
Wetland 5	0.01	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland 5 is a 0.01- wetland located in the southern portion of the Review Area.</p> <p>This wetland does not directly abut an (a)(1)-(a)(3) water as it is surrounded by uplands. This wetland is not inundated by flooding in a typical year nor 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.</p>
Pond 1	0.46	acre(s)	<p>(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake</p> <p>Pond 1 is a man-made, PVC-lined excavation with an open water surface area of 0.29 acre and a narrow emergent wetland fringe of 0.17 acre. The surface water elevation is maintained by stormwater and irrigation runoff, but it is occasionally manually filled to maintain it as an aesthetic feature for the golf course.</p>



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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>			
Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
		or pond is not an impoundment of a jurisdictional water that meets (c)(6).	Based on historical topo maps, the delineation, and aerial images Pond 1 is artificial and was constructed or excavated in uplands or in non-jurisdictional waters.
Pond 2	1.38	acre(s)	(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 2 is a man-made, PVC-lined excavation with an open water surface area of 1.14 acre and a narrow emergent wetland fringe of 0.24 acre. An irrigation pump at the south end of the pond is used to draw water for golf course irrigation. The banks of the pond have berms to prevent surface runoff entering the pond and water is occasionally pumped from the Willamette River (with water rights) to maintain the water surface elevation. Based on historical topo maps, the delineation, and aerial images Pond 2 is artificial and was constructed or excavated in uplands or in non-jurisdictional waters.
Pond 3	0.11	acre(s)	(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 3 is a man-made, PVC-lined excavation with an open water surface area of 0.07 acre and a narrow emergent wetland fringe of 0.04 acre. The surface water elevation is maintained by stormwater and irrigation runoff and overflow is routed north towards Wetland 2 via a 16" pipe.  Based on historical topo maps, the delineation, and aerial images Pond 3 is artificial and was constructed or excavated in uplands or in non-jurisdictional waters.

**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: "Jurisdictional Wetland Delineation Report for RiverRidge Golf Course" by Schott and Associates, October 2020

This information is and is not sufficient for purposes of this AJD.

Rationale: Provided report included aerial and ground-level images and rainfall data, but additional information including the USGS topographic maps, NWI Maps, Google Earth aerial photography and the USACE Antecedent Precipitation Tool were used to supplement information in the provided report.

- Data sheets prepared by the Corps: Title(s) and/or date(s).
- Photographs: Aerial and Other: Google Earth, March 17, 2021
- Corps site visit(s) conducted on: Date(s).



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- Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\)](#).
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Provided in applicant report, 03/12/2020](#)
- USFWS NWI maps: [Provided in applicant report, 03/12/2020](#)
- USGS topographic maps: [USGS Topoview, March 17, 2021](#)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	<a href="#">USGS Stream Stats, accessed 03/15/2021</a>
<a href="#">USDA NRCS WETS tables</a>	<a href="#">Provided with requestor delineation report, supplemented by USACE APT</a>
<a href="#">NOAA Sources</a>	N/A.
<a href="#">USACE Sources</a>	N/A.
<a href="#">State/Local/Tribal Sources</a>	N/A.
<a href="#">Other Sources</a>	<a href="#">Google Earth historical aerial imagery, historicaerials.com 1965 aerial imagery</a>

**B. Typical year assessment(s):** The Corps utilized the Antecedent Precipitation Tool (APT) to evaluate the study area via a single point method for the evaluation area. The APT was generated for dates that correlate with field work conducted by the requestor for the dates provided in the requestor delineation report. The APT analysis determines if the date-specific observation falls within the normal periodic range for the geographic area based on a rolling thirty-year period. A single point method using the latitude and longitude coordinates identified in Section (1) above were utilized because the single point method adequately represents the data sources available via the APT to conduct an analysis of climatic conditions within the study area. The APT indicated the dates of the April and May 2020 field investigations were during the wet season with drier than normal conditions.

**C. Additional comments to support AJD:** [N/A.](#)