



**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): 5/20/2021

ORM Number: NWP-2020-454

Associated JDs: N/A

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

Center Coordinates of Review Area: Latitude 45.557780° Longitude -122.460579°

**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: The Review Area is located along Northeast Marine Drive above the high tide line (HTL) and mean high water (MHW) line of the Columbia River. The shoreward terminus of the Review Area occurs at 45 feet North American Vertical Datum of 1988 (NAVD88). The MHW elevation relative to mean lower low water listed at the Washougal, Columbia River, Washington station (National Oceanic and Atmospheric Station No. 9440047) was converted to NAVD88. The MHW elevation is 10.14 feet NAVD88. The HTL was mapped in the field by the consultant and is outside the Review Area. The Review Area encompasses a paved parking lot, roadway, and ruderal vegetation. Vegetation is comprised of lawn grasses, such as Kentucky bluegrass (*Poa pratensis*, facultative (FAC)), and FAC-upland (FACU) and upland (UPL) species, such as bull thistle (*Cirsium vulgare*, FACU), hairy cat's tongue (*Hypochaeris radicata*, FACU), ripgut brome (*Bromus rigidus*, UPL), and Queen Anne's lace (*Daucus carota*, FACU). The Review Area is underlain by Quatama loam soil (3 to 8 percent slopes) which is moderately well drained and not considered hydric.
- 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.

<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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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.	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.	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.	N/A.

**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
N/A.	N/A.	N/A.	N/A.	N/A.

**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: [VLMK Consulting Engineers. March 16, 2016. Wetland Delineation Map.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)

Photographs: [Aerial and Other: VLMK Consulting Engineers. March 2020. Colombia River Shoreline Photo. Google Earth Pro, software version 7.3.3.7692. Historical Aerial Images from 1994 to 2020. Accessed April 2021. Google. 19609 Northeast Marine Drive, Portland, Oregon. Street view images from November 2019. Accessed May 7, 2021. Online: <https://www.google.com/maps/>.](#)

Corps site visit(s) conducted on: [Date\(s\).](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [NWP-2011-346: Environmental Technology Consultants. July 14, 2004. Wetland Evaluation Report for 19606 Northeast Marine Drive. The wetland delineation report was prepared for previous jurisdictional determination \(NWP-2011-346\) that included the Review Area. The delineator prepared the report and conducted the delineation in accordance with the methods described in the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual and the Regional Supplement for the Western Mountains, Valleys, and Coast Region.](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [Natural Resources Conservation Service. May 7, 2021. Web Soil Survey Report. Online: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.](#)

<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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- USFWS NWI maps: [U.S. Army Corps of Engineers Portland District eGIS Information Portal](#). May 7, 2021. U.S. Fish and Wildlife Service National Wetlands Inventory. Online: <https://geoportal.nwp.usace.army.mil/g2portal/home/>.
- USGS topographic maps: [U.S. Geological Survey](#). May 7, 2021. Topographic Map: 2020 Camas, 1:24k. Online: <https://ngmdb.usgs.gov/topoview/viewer/>.

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

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS/WBD/NHD data/maps</a>	<a href="#">U.S. Army Corps of Engineers Portland District eGIS Information Portal</a> . May 7, 2021. <a href="#">USGS National Hydrography Dataset</a> . Online: <a href="https://geoportal.nwp.usace.army.mil/g2portal/home/">https://geoportal.nwp.usace.army.mil/g2portal/home/</a>
<a href="#">USDA Sources</a>	N/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>	N/A.

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

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