



**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): 6/28/2021

ORM Number: NWP-2020-306

Associated JDs: N/A

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

Center Coordinates of Review Area: Latitude 43.225617 Longitude -123.339840

**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	0.19	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 1 is a palustrine emergent wetland located directly adjacent to Water 1 documented as a (b)(1) water below. The wetland does not directly abut an (a)(1) - (a)(3) water. There is no evidence Wetland 1 is inundated by flooding in a typical year nor separated from an (a)(1) - (a)(3) water only by a natural feature. There are no other waters present near Wetland 1 which could provide inundation in a typical year. The delineation establishes hydrology through the use of two secondary indicators. Wetland 1 does not meet the definition of adjacent wetland under the Navigable Waters Protection Rule (NWPR). Review of Corps eGIS data, Federal Emergency Management Administration (FEMA) flood insurance maps show the site is not subject to flooding or inundation from the nearest mapped stream located 2.2 miles northwest of the Review Area
Wetland 2	0.18	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 2 abuts Water 1 to the east. There is no evidence Wetland 2 is inundated by flooding in a typical year by an (a)(1)-(a)(3) water. The delineation establishes hydrology through the use of two secondary indicators. Corps review of eGIS data layers and FEMA flood insurance maps show the site is not subject to flooding or inundation from the nearest mapped stream located 2.2 miles northwest of the Study Area. Wetland 2 does not meet the definition of adjacent wetland under the NWPR.
Water 1	380	linear feet	(b)(1) Surface water channel that does not contribute surface water flow directly or indirectly to an (a)(1) water in a typical year.	Water 1 is located along the western boundary of the Review Area. The feature is not defined in the National Hydrographic dataset, LiDAR imagery or topographic maps. The sources of hydrology reported are hillslope seeps and precipitation. There is evidence of a channel running from residential development upslope and exiting through a culvert at the edge of the Review Area, however, all channel features are absent beyond the Review Area. Water 1 is not connected to an (a)(1) – (a)(3) in a typical year.

<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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**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: [Junker Avenue Site, Zion Consulting dated August 2019 and information received from the consultant on 22 January 2021 in response to an information request on 2 December 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [The delineator 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: [Select. N/A](#)
- 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: [N/A](#)
- USFWS NWI maps: [N/A](#)
- USGS topographic maps: [Roseburg East 1959 1:250000 7.5' quadrangle](#)

**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="#">N/A.</a>
<a href="#">USDA Sources</a>	<a href="#">N/A.</a>
<a href="#">NOAA Sources</a>	<a href="#">N/A.</a>
<a href="#">USACE Sources</a>	<a href="#">US Army Corps of Engineers GeoPortal tool review on 2 June 2021</a>
<a href="#">State/Local/Tribal Sources</a>	<a href="#">N/A.</a>
<a href="#">Other Sources</a>	<a href="#">N/A.</a>

**B. Typical year assessment(s):** [Typical Year Assessment for Water 1 identified normal circumstances during a seasonally dry period. The assessment was performed on 4 June 2021 for all data collected on 9 August 2019.](#)

**C. Additional comments to support AJD:** [GeoPortal review of National Hydrographic Dataset, National Wetland Inventory and DOGAMI LiDAR were utilized as was the National Wetland Inventory map.](#)