



**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): 8/3/2021  
 ORM Number: NWP-2005-746  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: Oregon City: Creswell County/Parish/Borough: Lane  
 Center Coordinates of Review Area: Latitude 43.924580 Longitude -122.989070

**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.	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.	N/A.

Tributaries ((a)(2) waters):

(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
R1	0.97	acre(s)	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	R1 receives typical and backwater flows from the Coast Fork Willamette River and contributes flows to the Coast Fork Willamette River, an (a)(2) water in a typical year. The Coast Fork Willamette River contributes flows directly to the Willamette River, an (a)(1) traditional navigable water of the U.S.
R2	1.29	acre(s)	(a)(2) Perennial tributary contributes surface water flow directly	R2 is a mapped portion of the Coast Fork Willamette River within the Review Area. The Coast Fork Willamette River contributes flows

<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
			or indirectly to an (a)(1) water in a typical year.	directly to the Willamette River, an (a)(1) traditional navigable water of the U.S.

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
Q1	4.81	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.	Q1 is a water-filled depression that was excavated as part of a sand and gravel mining operation and is not an impoundment of an (a)(1) or (a)(2) water. Based on a review of USGS topographic maps and aerial photography, Q1 is not a natural feature, but was excavated in uplands or a non-jurisdictional water.
Q2	0.28	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.	Q2 is a water-filled depression that was excavated as part of a sand and gravel mining operation and is not an impoundment of an (a)(1) or (a)(2) water. Based on a review of USGS topographic maps and aerial photography, Q2 is not a natural feature, but was excavated in uplands or a non-jurisdictional water.
Q3	0.70	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.	Q3 is a water-filled depression that was excavated as part of a sand and gravel mining operation and is not an impoundment of an (a)(1) or (a)(2) water. Based on a review of USGS topographic maps and aerial photography, Q3 is not a natural feature, but was excavated in uplands or a non-jurisdictional water.

<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	
Q4	0.18	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.	Q4 is a water-filled depression that was excavated as part of a sand and gravel mining operation and is not an impoundment of an (a)(1) or (a)(2) water. Based on a review of USGS topographic maps and aerial photography, Q4 is not a natural feature, but was excavated in uplands or a non-jurisdictional water.

**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 for Marple Quarry by Wetlands and Wildlife, LLC – December 31, 2018](#)

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 USGS topographic maps, Google Earth aerial photography, USACE eGIS and the USACE Antecedent Precipitation Tool were used to supplement information in the provided 2019 report. The requestor utilized the methods described in 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 on-site aquatic features.](#)

- Data sheets prepared by the Corps: [N/A](#)
- Photographs: [Aerial and Other: Aerial and ground-level photographs in provided report, Google Earth aerials \(05/1994, 07/2000, 08/2003, 09/2006, 08/2011, 06/2014, 06/2017, 07/2019\) accessed 26 July 2021](#)
- Corps site visit(s) conducted on: [01 June 2018](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [NRCS Web Soil Survey \(2017\) provided by requestor](#)
- USFWS NWI maps: [USFWS NWI Wetland Mapper \(2017\) provided by requestor](#)
- USGS topographic maps: [USGS TopoView \(1986, 2011, 2020\) accessed 26 July 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 26 July 2021</a>
<a href="#">USDA NRCS WETS tables</a>	<a href="#">Provided in requestor report, supplemented by USACE APT</a>
<a href="#">NOAA Sources</a>	<a href="#">N/A.</a>
<a href="#">USACE Sources</a>	<a href="#">N/A.</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):** [The antecedent precipitation tool was utilized for the timing of the wetland delineation performed by the consultant on 30 October 2018 and 5 November 2018 to determine if the site was delineated during drier or wetter than normal circumstances. The APT determined the delineation was](#)



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performed during the wet season with normal conditions for the time of the year. Therefore, the Corps can conclude site conditions during the delineation of the site were normal for October and November 2018.

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